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ABSTRACT

A hearing was held before the Senate Subcommittee on Children and Families of the Committee on Labor and Human Relations to discuss possible solutions to the problem of juvenile crime. An opening statement by parents whose young child was murdered by an adolescent set the scene for the panel discussion that followed. James Fox, a professor of juvenile justice, described the crisis in juvenile crime as it exists and asserted that the public sector must become as involved as the private sector, and that violence prevention efforts are needed in the early grades. Journalist Edward Humes considered the role of the courts and their present inadequacies in the face of increased juvenile crime. John DiIulio, professor and director of the Brookings Institution's Center for Public Management, explored the vital role inner-city churches can play in crime prevention. The Reverend Eugene Rivers described some efforts churches have made in crime prevention. Law professor Jimmy Gurule expressed the need for comprehensive services from multiple providers, and Jerry Regier of the Oklahoma Department of Juvenile Justice described some of that state's crime prevention initiatives. Panelists also discussed the role of the school and athletic programs, and the adverse effects of television on juvenile attitudes. Prepared statements of these speakers and of Senators Ashcroft and Dodd are included in an appendix. (SLD)

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S. HRG. 104-536

YOUTH VIOLENCE

ED 401 352

HEARING

BEFORE THE

SUBCOMMITTEE ON CHILDREN AND FAMILIES

OF THE

COMMITTEE ON LABOR AND HUMAN RESOURCES UNITED STATES SENATE

ONE HUNDRED FOURTH CONGRESS

SECOND SESSION

ON

EXAMINING THE ROLE OF THE FEDERAL GOVERNMENT AND NON-GOVERNMENT ORGANIZATIONS IN ESTABLISHING SOLUTIONS FOR COMBATTING JUVENILE CRIME

JULY 18, 1996

Printed for the use of the Committee on Labor and Human Resources

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YOUTH VIOLENCE

THURSDAY, JULY 18, 1996

U.S. SENATE,
SUBCOMMITTEE ON CHILDREN AND FAMILIES,
OF THE COMMITTEE ON LABOR AND HUMAN RESOURCES,
Washington, DC.

The subcommittee met, pursuant to notice, at 1:42 p.m., in room SD–430, Dirksen Senate Office Building, Senator Coats (chairman of the subcommittee) presiding.

Present: Senators Coats and DeWine.

OPENING STATEMENT OF SENATOR COATS

Senator COATS. Good afternoon. I apologize for the delay in starting. I want to welcome my colleague Senator DeWine, and I know that others will be joining us.

I have an opening statement that I would like to read and will then ask Senator DeWine if he wishes to give an opening statement, and then we look forward to the testimony of our witnesses.

Every day in our communities and in the media, we see horrific examples of juvenile crime. A 13-year-old girl murders her 3-year-old nephew and dumps him in the trash. A 13-year-old boy is stabbed to death while sitting on his back porch. A group of teenagers hails a cab and, after the driver takes them to their destination, they shoot him dead in an armed robbery.

I did not have to look far to find these examples. Each occurred in Indiana, a State generally known as a safe State, a good place to raise a family, not a dangerous place, yet a State where arrests for violent juvenile crimes have skyrocketed 19 percent in the early 1990's. Juvenile violence is no longer a stranger in any ZIP Code.

As criminal expert James Q. Wilson has noted, the overall crime rate in the United States is similar to the crime rates of other industrialized nations, including Germany, Spain, England and the Netherlands. The burglary rate in Sweden is about the same as in the United States, and you are as likely to have your car stolen in London as you are in New York City.

But, Wilson adds, what sets America apart from the rest of the world is our Nation's epidemic of juvenile crime, especially violent juvenile crime, what Wilson calls the most explosive part of our Nation's crime problem.

Consider these statistics. Between 1965 and 1992, the arrest rates for violent crimes committed by juveniles tripled. Most troubling is the fact that this crisis in violent juvenile crime is worse than the crime patterns of adults. For example, between 1985 and 1994, while the arrest rate for murders committed by adults rose

11 percent, the arrest rate for murders committed by juveniles increased 150 percent.

And the problem is only expected to grow worse. Crime experts who study demographics warn of a coming crime wave based on the number of children who currently are younger than 10 years old. These experts warn that if current trends are not changed, we might someday look back at our current juvenile crime epidemic as "the good old days."

The numbers, however, mask the despair. Two boys drop a 5-year-old to his death out of a 14th-story window; two teenagers murder one of their best friends for violating gang rules; and a 6-year-old nearly kicks a newborn baby to death. These stories paint the chilling picture of mindless, compulsive rage.

The mind-set driving these violent juveniles is deeply troubling. The depth of their anger is matched only by the lack of their remorse. According to Charles Colson, who runs an international prison ministry, even the older, more experienced prison inmates are scared by the ferocity of these children.

What is driving this rage? Over 30 year ago, our colleague Daniel Patrick Moynihan, then an official in the Johnson administration, wrote that when a community's families are shattered, crime, violence and rage "are not only to be expected, they are virtually inevitable." He wrote those words in 1965. Since then, arrests of violent juvenile criminals have tripled.

Public safety is our urgent priority. Two bills pending before Congress call for juveniles accused of violent crimes to be tried as adults. We will discuss that issue here today in this hearing. their court proceedings no longer would be closed. Their criminal records no longer would be erased when they become adults. Many States are moving in this direction.

Many State governments also are interested in reforming their juvenile justice systems. Scott New man, the prosecutor in Indiana's largest county, Marion County, recently testified before Congress that a new system of juvenile justice needs to be created. While Newman emphasized hard time for hard juvenile criminals, he also said that State-level juvenile justice systems must include greater supervision and stricter intervention with low-level juvenile offenders.

Government must also support mothers and fathers who are making daily sacrifices for their children. For example, nearly one-fourth of juvenile crime occurs after school, between the hours of 2 and 6 in the afternoon. that is one reason why I strongly support the Community Youth Development Block Grant Program authored by the distinguished chairman of the Labor and Human Resources Committee, Senator Kassebaum. This bill would allow local communities to devise after-school programs and other community activities uniquely designed to meet local needs.

Block grants can help reduce the bureaucracy inherent in Government programs. The GAO has found that the Federal Government last year spent over $4 billion on 131 programs designed to help at-risk and delinquent youth. These programs often overlap, creating inefficiency throughout the system, which is why the block grant approach to helping States deal with juvenile crime is an issue that we ought to seriously consider.

However, it is important to recognize that Government efforts are fundamentally limited and incomplete. Locking away juveniles might prevent them from committing further crimes, but it does not address a deeper need. People across our political spectrum, from the Children's Defense Fund on one side to the Family Research Council on the other, agree with a recent statement by the CDF that "violence is symptomatic of a deeper moral and spiritual void in our Nation."

To understand the moral dimension of juvenile crime, Wilson recommends that we should not ask why a small but dangerous number of people commit violent crimes, but why most people do not. Wilson writes, and I quote: "Most of us do not break the law most of the time, not simply because we worry about taking even a small chance of getting caught, but also because our conscience forbids our doing what is wrong."

As Michael Novak has stated, Government ultimately is powerless to form the human conscience that chooses between right and wrong. Novak stated that "If a people composed of 100 million citizens is guarded by 100 million inner policemen—that is, by 100 million self-governing consciences—then the number of policemen on the streets may be few. For a society without inner policemen, on the other hand, there are not enough policemen in the world to make society civil."

The best developers of those "inner policemen" are strong, healthy families. Strong families are America's strongest line of defense. Mothers and fathers teach the difference between right and wrong better than any police department or court system. In the absence of families, we must depend on community groups, churches and other private organizations—the value-shaping institutions of our society. They have clear advantages over Government—moral values, tough love, true compassion.

The ultimate role of Government, then, is to take the side of private institutions confronting juvenile crime with the moral ideals that defeat despair and nurture lives. Our Founding Fathers realized that a healthy democracy depends on civic virtues reinforced by civic associations. And as Pope John Paul II has said, "Community is an essential reality for human coexistence and cooperation."

Let us be clear. We must protect the innocent from violent juvenile criminals. Super-predators deserve incarceration. At the same time, we must try to prevent at-risk children and low-level offenders from becoming hardened juvenile criminals. Private non-Government organizations such as Big Brothers, Big Sisters, local churches and synagogues, and Boys and Girls Clubs of America, among others, are successful examples of the principle best summarized by Mary Ann Glendon: "The starting point," she said, "is the human person in all his imperfection and with all his potential."

I would now like to ask my colleague, Senator DeWine, if he has any opening comments to make, and then I will introduce the first panel.

Senator DEWINE. Mr. Chairman, I have no opening comments. I just want to congratulate you for this hearing. I have looked at the list of witnesses, and I think the committee will learn a lot today.

Senator COATS. Thank you, Senator DeWine.

Our first panel consists of Dale and Doreen Robie from Sovona, NY. I want to personally thank both of them for their willingness to come and testify before this committee. Their tragic story is one that certainly is not easy to recount. The pain and the hurt that has resulted from their own personal tragedy is something that we can only offer our sympathy and condolences for.

But your willingness to speak out gives us a greater understanding of the dimension of the problem that we are dealing with and some helpful ideas as to how we might more effectively deal with this problem. So I want to thank you both for your willingness to do this and for your courage in doing this, and in whatever order you would like to proceed, please feel free to do so.

STATEMENT OF DALE AND DOREEN ROBIE, SOVONA, NY

Ms. ROBIE. Good afternoon. On August 2, 1993, everything we had worked for in our lives was shattered. That morning, our little boy was dead within 9 minutes of leaving our back door.

Our vivacious 4-year, 10-month-old boy, Derrick, had been walking down our street to a summer recreation program for 2 or 3 weeks prior. At the end of the street was a dead end, to the left the elementary school he was to attend only 4 weeks from then, and to the right the ball fields where he played T-ball and where he attended summer recreation. He always took his lunch and felt very independent being able to do this, and it was a good way to ready him for the walk to school that fall. But he would never make it to school.

On this morning, he would encounter a 13-year-old named Eric Smith. It seems that this 13-year-old was jealous of our almost 5-year-old Derrick, always the best athlete, loved by everyone who spoke to him, and embraced life with so much energy at times I could not catch my breath.

Only 100 yards from our house, the boys met. I have no idea the frame of mind Eric Smith was in this day. He was out to hurt someone and chose Derrick as his victim. Eric had passed another group of children in front of Derrick, and when they started to enter the park, Eric turned his bike around and approached Derrick. After a bit of convincing, Derrick agreed to take a short cut through a yard and then into a small wooded area that bordered the ball park.

Eric concealed his bike in some tall grass. He left Derrick pass in front of him as they entered the woods and then hooked his arm around his neck, lifting him off the ground and cutting off his air. Eric let up, and Derrick gasped for air; then, Eric gripped him again until Derrick passed out. He then dragged his body toward a pile of rocks. He picked up a 40-pound rock—the same weight as Derrick—and threw it into his head twice. After finding a slightly smaller rock, perhaps 30, 35 pounds, he continued to drop this on Derrick's chest and torso. With a sharp stone, he then jabbed this 12 times into Derrick's skull. He tore Derrick's lunch apart, pouring kool-aid all over our son's head wounds and body and stuffed a plastic bag into his mouth. After all this, he found a branch and sodomized him with it. Throughout the next half-hour, Eric Smith would go back to the scene to make sure he was dead.

A rain storm started, so I look my 18-month-old, Dalton, and drove down to the picnic area. I scanned the kids driving in and could not see Derrick. One of the counselors came over to my car and said, "He never showed up today." I cannot remember the feelings I had of panic as I drove to neighbors' homes, asking if they had seen him.

I went home and called the State police, my family and my husband. Within an hour, there was a major search party going on with most of the town. Firemen searched, and even Eric Smith pretended to help the cause. It was not until a little over 4 p.m. that day that he was found, and Dale and I were given the awful news that our son was found dead.

The days that follow are lost in my memory. We lost Derrick on Monday, had the viewing on Friday and buried him on Saturday, and on Sunday, we were informed of the 13-year-old murderer who was taken into custody.

I cannot imagine how I could have ever saved my son from another child. Derrick knew all about stranger-danger, but this boy was someone Derrick knew and played with at recreation and trusted to an extent.

Now I have the burden of sending my other son, Dalton, who is now 4, to school next year, and it scares me to death.

Mr. ROBIE. Good afternoon. As of that Sunday in August when it was revealed to us that a 13-year-old had done this crime, many wondered whether he should be tried as an adult, and how could this person fully understand what he had committed.

Throughout the next year, pre-trial hearings were held, and everything was upheld, and the trial of this 13-year-old began in the summer of 1994. He was to be tried as an adult and was being charged with second-degree murder.

On August 16th at around 10:30 p.m., the verdict came in—guilty of second-degree murder. In November of 1994, Eric Smith was sentenced to 9 years to life.

We feel strongly that this sentence was acceptable. Juveniles committing adult crimes should be held accountable.

As Derrick's representative here today and as his father, we hope that our tragedy will help shed some light on this subject of juvenile crime and how it so deeply affects the families involved.

Thank you.

Senator COATS. Again, thank you both for the courage that you have exhibited in coming here to testify and your willingness to do this. Unfortunately, your story is not a rare story, and the purpose of this hearing is to try to understand the depth of problem that we are experiencing and the breadth of the problem that we are experiencing in America. And your willingness to come and present your story is very, very much appreciated.

Senator DeWine, do you have any questions for the Robies?

Senator DEWINE. No questions, Mr. Chairman.

Senator COATS. Thank you both very much.

Mr. ROBIE. Thank you.

Senator COATS. Next, we have a panel of experts in the field, and we appreciate their willingness to .ne and testify.

Professor James Fox is dean of the College of Criminal Justice at Northeastern University in Boston.

Mr. Edward Humes is a Pulitzer Prize-winning author and journalist from Seal Beach, CA. His latest book, "No Matter How Loud I Shout," provides a first-hand inside look at the juvenile justice system.

Professor John DiIulio teaches at Princeton University and is director of the Brookings Institution's Center for Public Management.

The Reverend Eugene Rivers is the pastor of the Azusa Christian Community and also directs the Ella J. Baker House and the Ten Point Coalition, all based in Boston.

Mr. Jimmy Gurule is a former U.S. Assistant Attorney General, and he currently teaches law at the University of Notre Dame Law School.

And finally, Mr. Jerry Regier is former administrator of the Office of Juvenile Justice and Delinquency Prevention for the U.S. Department of Justice and currently serves as the director of the State of Oklahoma's Department of Juvenile Justice.

We welcome all of our witnesses. What we would like to do this afternoon is have you give us a 5-minute or so highlight and summary of your statements. That will leave us more time for discussion, both among panel members and with the Senators. The way I like to conduct these hearings is not in the formal way in which most hearings are conducted, but to have a good interaction between not just the panel and those of us here, but among yourselves. So we want to feel free to open this discussion up.

First, however, let us start with Mr. Fox and go down the line and let each of you summarize your statements.

STATEMENTS OF JAMES FOX, DEAN, COLLEGE OF CRIMINAL JUSTICE, NORTHEASTERN UNIVERSITY, BOSTON, MA; EDWARD J. HUMES, PULITZER PRIZE WINNING JOURNALIST AND AUTHOR, SEAL BEACH, CA; JOHN J. DiIULIO, JR., PROFESSOR, PRINCETON UNIVERSITY, PRINCETON, NJ, AND DIRECTOR, THE BROOKINGS INSTITUTION'S CENTER FOR PUBLIC MANAGEMENT; EUGENE F. RIVERS, PASTOR, AZUSA CHRISTIAN COMMUNITY, AND DIRECTOR, ELLA J. BAKER HOUSE AND THE TEN POINT COALITION, BOSTON, MA; JIMMY GURULE, PROFESSOR, UNIVERSITY OF NOTRE DAME SCHOOL OF LAW, SOUTH BEND, IN; AND JERRY REGIER, DIRECTOR, STATE OF OKLAHOMA DEPARTMENT OF JUVENILE JUSTICE, OKLAHOMA CITY, OK

Mr. Fox. Thank you, Mr. Chairman.

I believe you have a copy of my prepared statement. I also brought for the committee and for others a recent report, "Trends in Juvenile Violence," dated March 1996, which was a report to Janet Reno on current and future trends in juvenile violence. I will be talking to some extent about the data in that report.

I think I will just summarize some of the major points of my written testimony. This hearing today is incredibly timely, and it is interesting—I was saying to Reverend Rivers that we seem to see each other a lot down here, and John DiIulio as well—clearly, youth crime is the topic of the year, and it very well should be.

My concern is that many Americans seem to be getting complacent when it comes to the crime issue. They hear all these wonderful statistics that we are winning the war against crime. We read

paper after paper. New York is claiming victory; Houston is talking about a large decline in crime; Seattle. Across the country, cities are boasting about their decline in crime. And at a national level, of course, we heard that in 1995, crime was down once again, the fourth straight year, homicide was down 8 percent. And many Americans are questioning, gee, what is all this talk about an epidemic of crime? Crime is coming down. Why do we need that $30 billion crime bill, anyway? Crime is going down. I feel that some of the energy is being dissipated.

Well, the problem with this is that there is much more to this great crime drop of the 1990's story. Actually, the statistics hide the grime truth. Rather than an overall decline in crime in this country, we actually have two crime trends in America—one for the young and one for the mature—and they are moving in opposite directions.

For example, since 1990, the rate at which adults have been committing murder has declined 18 percent. Partially, it is demographic—the baby boomers are getting older. Partially, it is the fact that we are putting more of our most dangerous felons behind bars and incapacitating them. But while the adult rates have gone way down, the juvenile rates are going through the roof. Since 1990, the rate of killing at the hands of teenagers has increased 22 percent. So what is happening is that the downturn among adults is overshadowing a surging rate of teen violence and homicide.

The longer-term trends are even more disturbing. Since 1985, the rate at which teenagers are committing murder has increased 172 percent. And as you said, Mr. Chairman, at this point, juveniles have the highest rate of arrest for violent crime. They have overtaken young adults. They now lead the pack. And this is something that is very, very new in terms of the history of crime.

That is the bad news. Now the really bad news. Unfortunately, the worst may be yet to come. It is ironic, in a sense, that we have been seeing the surging rate of teen violence at a time in our country when the teenage population has been shrinking. We should have had less teen crime, not more. And now the demographic dividend is over.

We now have in this country 39 million children under the age of 10. This is more young kids than we have had ever since the fifties when the baby boomers were kiddies. But these young kids will not be young for long; they will be teenagers before you can say "juvenile crime wave." Over the next 10 years, we can expect a 17 percent increase in the number of teenagers in this country and an even larger increase in the number of black teenagers, a 20 percent Iowa increase, and Latino teenagers, a 30 percent increase.

So we clearly will have many more kids at risk in the years ahead, but my concern is not just demographics. This generation, of course, is better armed than any generation before it; the number of kids who have killed with a gun has quadrupled in the past 10 years. This generation is very poorly supervised; 57 percent of children in this country lack full-time parental supervision, either living with a single working parent who works full-time or in a household where both parents work full-time, not part-time.

But it is easy to blame families. We are a nation of finger-pointers, and we are always talking about the breakdown of the family.

But it goes deeper than that. Indeed, although there are some parents who are unmotivated or ill-prepared for the task of raising their kids, most are well-meaning and would like to have a greater role in the upbringing of their children, if only they could; they lack the support to guide and control them. We need to assist families, not assail them with all these parental responsibility laws.

So it is not just the breakdown of the family. As a society, we are missing the fleeting opportunity to compensate for the diminished role of the family. We have seen tremendous cuts in programs for youth, after-school programs, athletic programs, and we are seeing the effects of that. Our kids are bored and idle.

You mentioned a statistic about after-school crime. Forty percent of juvenile crimes occur after school. The prime time for juvenile crime is between 3 in the afternoon and 7 p.m., when they get out and are doing nothing. We have closed down the swimming pools, we have closed down the recreation centers. We have closed down childhood because we did not want to pay for the bill, and now we really are paying in a much more deadly way.

This thing about the future—I have spent my career forecasting crime rates. I have been to the Senate here many times over the past 15 years, talking about the future, and the future is kind of gloomy and cloudy. It is hard to say what 2005 will look like. We do not know how many community police officers we will have in 2005. We do not know how many prison beds we will have in 2005. We do not even know which political party will control Congress in the year 2005. But we do know very well how many 15- and 16-year-olds we will have—about the same number as 6- and 7-year-olds we have now. They will be 9 years older, and we have a slew of them.

My concern is that we seem to be obsessed with quick and easy solutions that will not work, such as the V-chip, "three strikes," boot camps, the wholesale waiver of juveniles to the adult court, at the expense of long-term and difficult solutions that will work, such as providing teens and pre-teens with quality role models, quality schools and recreation programs.

Basically, let me end with this notion. Many people are talking about prevention, and it cannot just be the churches and the private sector; it has to be the public sector as well. Government is in the best position to develop these programs within the schools and within communities, but there has to be prevention, with the emphasis on "pre." Indeed, there are many programs right now in the high schools—violence prevention curricula, for example—but that is much too little and far too late. The kids you most need to reach are not going to high school, or if they are going to high school, they are not listening, or if they are listening, they do not care. We need to put these programmatic efforts in the early grades, the primary grades, when we will indeed have an impact.

The best way to conclude is to say that it is far better to build the child than to rebuild the adult.

Thank you.

Senator COATS. Mr. Fox, thank you very much for your testimony.

[The prepared statement of Mr. Fox may be found in the appendix.]

Senator COATS. Mr. Humes?

Mr. HUMES. Thank you, Mr. Chairman.

I should introduce myself by saying I spent a year closely observing the Nation's largest juvenile justice system, the Los Angeles juvenile court. I received a court order granting me total access to the secret hearings, records and trials of that court, and I also worked as a volunteer teaching in L.A.'s Central Juvenile Hall.

At the outset, I would like to tell you about a very comprehensive study of first-time juvenile offenders in Los Angeles, which showed that 57 percent of them never came back after that first bust; once apparently was enough for those kids. And this was true no matter what the juvenile court did, or even if it did nothing at all. They just did not come back.

It is the other 43 percent, though, that need to be focused upon, and nationally, if the rest of the country operates somewhat similarly to Los Angeles, we would be talking about three-quarters of a million kids. When the court does nothing with them as they enter the juvenile justice system, that is when we are courting disaster, and unfortunately, that is what is happening now.

I would like to tell you about two boys I wrote about in my book about my year in juvenile court, called, "No Matter How Loud I Shout." One of these young men is named Richard Perez. His criminal career began at age 13 with a car theft following years of misbehavior in school, truancy, and incorrigibility. Over the next 3 years, he committed several assaults and a robbery in addition to generally defying every condition of probation the court had ever set—smoking marijuana, hanging out with his gang—you name it, he did it, and no one ever noticed because he remained on probation as a minor offender, and in Los Angeles, probation officers who monitor juveniles have up to 200 other children to watch. Richard's probation officer accomplished her task by calling her probationers once a month. That was supervision in Los Angeles juvenile court. And Richard Perez was well aware of that, and he behaved accordingly.

The revolving door for Richard ended 3 years after he entered the system when, at age 16, he walked into a restaurant, approached a young man 17 years old, asked him what gang he was in. The young man replied truthfully: "I am not in any gang." But Richard apparently did not believe him, and he pulled out a gun and killed him.

At a hearing held to transfer to him to adult court, Richard's lack of remorse and utter contempt for a system that had never held him accountable was obvious. He threw spitballs during the court hearing, he laughed at witnesses, he sat with his feet cocked, Charlie Chaplin-style, a blatant gang pose. And the judge presiding at that hearing had absolutely no compunction, as is typical in such cases, about transferring him to adult court. He later received a 25-year to life sentence.

The same day, before the same judge, came a boy named George Trevino. George had entered the system at age 5, not as a victimizer, but as a victim of abuse. George was raised essentially by the juvenile court, and a poor parent it was. It shunted him from one foster home to another, entrusted him at one time to drug-abusing

guardians, allowed him to roam the streets and to join a gang, all while he was a ward of the court.

Minor crimes, repeated running away, a ride in a stolen car, a schoolyard fight, a burglary, brought no consequences for George. "They never gave me a reason to straighten out," he told me once. "It was like they were daring me to do more crimes."

Only after an adult criminal gave him the attention he craved and recruited him to participate in a failed armed robbery, in which only the adult ringleader was injured, did the system finally notice George—too late. This time, the judge was nearly in tears at the prospect of transferring the young man to adult court. She said his case was a tragedy and a travesty, that the court had performed abysmally, but would never be held accountable for its errors.

But the laws governing transfer to adult court are now so tough they do not distinguish a hapless George Trevino, who has never hurt anyone in his life, from a sociopathic Richard Perez, who kills without conscience.

The judge was compelled to send George to adult court, too.

While he awaited trial as an adult, he lived in juvenile hall, his first stable home for years. In a year in the hall, I watched George advance three grade levels, get his high school diploma, earn praise as a tutor and peer counselor, and win a citywide essay contest for high school students sponsored by the Los Angeles Times. Then he was convicted by jury trial and sent to a mandatory 12 years in prison.

What can we learn from these two cases? Certainly they show how tough our much maligned juvenile system can be when kids cross a certain threshold, but I believe they also show the dire consequences of ignoring so-called "minor" juvenile offenders. We have become so fixated on the most serious, violent kids that we are doing nothing with the entry-level small fry until some of them become hard enough and dangerous enough to warrant incarceration as adults. But then, it is too late for the juveniles and too late for their victims.

Had the court acted decisively with detention and meaningful supervision with these kids, there might well have been different results. If not rehabilitated, Richard at least could have been restrained before committing murder, and a probation that involved actual supervision, an actual attempt to enforce the orders of the court, might have detected George's problems, misbehavior and running away before he fell in with an adult criminal.

If he could show his potential so thoroughly in central juvenile hall, which I can assure you is no Club Med, think what could have been accomplished with him earlier in the process and at what savings to taxpayers, now that we must spend more than $300,000 to incarcerate him.

The scary part of all this is that neither of these kids is particularly unusual. This problem of the revolving door happens every day in juvenile court.

I think another problem these two boys illustrate lies in the sweeping nature of laws governing transfer to an adult court. In an increasing number of States, transfer hearings are being eliminated entirely in favor of prosecutors directly filing adult cases

against certain juveniles. And interestingly, it was a widespread outrage over the moral poverty of treating children the same as adults in all cases that led to the creation of a separate juvenile system a century ago.

There is a world of difference between the two boys I just told you about, but we are no longer treating them any differently. It is my observation that there is no problem getting kids like Richard Perez into adult court once they cross the line. Every State in the Union now allows 16-year-olds to be tried in adult court, and the overwhelming majority of violent juvenile crime is committed by kids 16 and over.

Focusing now solely on the worst of the worst of our juvenile offenders will not solve the problem of juvenile crime, but transforming juvenile court into a crime prevention machine instead of an incubator for crime, as it has often become, could make a difference.

I think fixing this is as much of an attitude problem as it is a money problem. You may have heard the oft-repeated phrase, "Children are society's most precious resource." You would think, then, that the juvenile court would attract the system's stars. Yet the courts we have created to save our children lie at the lowest run of our justice system, far less prestigious for judges and lawyers than forums reserved for contract disputes and whiplash claims.

Most judges consider juvenile court a punishment. Often, only the least experienced prosecutors and defenders walk its halls. Caseloads are enormous; burnout is epidemic; frustration is rampant.

But consider this. Juvenile court exists in every city and county in America. Today, at this moment, they are going about their business of identifying individuals at the earliest stage of their criminal careers, before the damage mounts, before they are hardened, before they grow up. But then, the system does little more than wait. Change that, and you can truly declare war on crime.

Thank you.

Senator COATS. Thank you.

[The prepared statement of Mr. Humes may be found in the appendix.]

Senator COATS. Mr. DiIulio?

Mr. DIIULIO. Thank you, Mr. Chairman.

In the words of chief of police David Walchak, who is president of the International Association of Chiefs of Police, "It is clear that youth violence has reached epidemic proportions that must be addressed."

Chief Walchak is hardly alone in that view. Philadelphia District Attorney Lynne Abraham, former New Jersey Superior Court Justice Daniel R. Coburn, and virtually everyone else I have spoken to who has been close to this issue, who is in a position to know, shares that view.

Just last week, I spoke to Pastor Benjamin Smith, the 82-year-old inner city clergyman who pioneered Philadelphia's youth and community outreach ministries and who helped inspire the street-level work of Boston's Reverend Eugene Rivers and many others. Pastor Smith spoke in sorrow about the growing plague of "chil-

dren murdering and maiming other children." And he has 50 years' worth of time series of data, if you will, to compare to this to.

Anyone who doubts—and there are some who do—whether Chief Walchak, District Attorney Abraham, Judge Coburn, Pastor Smith, Reverend Rivers and others are right to be so concerned about juvenile crime ought to take a look at the entire range of statistical data on youth violence in America today, the data gathered most importantly, I think, by Professor Fox and by other scholars as well.

To cite just a couple of examples that have not been mentioned this afternoon, the number of gun homicides by juveniles has nearly tripled since 1983; weapons law violation arrest rates for teenage males ages 15 to 18 more than doubled between 1983 and 1992, and in some sense, perhaps most ominously, the fastest growing murder circumstance is juvenile gang killing, which nearly quadrupled since 1980.

The juvenile crime numbers look even worse when placed in historical perspective. If you look back, you find that the juvenile violent crime arrest rate more than tripled between 1965 and the early 1990's. And when you look ahead, you do indeed see that more young street criminals are almost certainly on the way, on the way in virtually every State in the country.

Nationally, between now and the year 2010, the number of juveniles in the population will increase substantially. And let us understand that it does not take a huge increase in the population of at-risk juveniles, especially boys, to create a crime wave on the streets.

In short, today's youth criminals are somewhat younger and badder than those of previous eras. The one-fatal-stabbing-a-year street gangs of the 1950's became the one-fatal-driveby shooting-a-night street gangs of the 1980's, and we are about to turn the century.

In all probability, I think it is fair to say, I think it is no exaggeration to say that tomorrow's cohort of youth criminals will be even bigger and worse than today's.

In a 1992 essay of which I and many others are very fond and consider it a classic, Senator Moynihan wrote about "defining deviancy down," a process by which we come to treat as normal levels of costly social ills that, even a generation ago, would be wholly unthinkable, if not entirely inconceivable and certainly intolerable. Many have applied this insight to contemporary levels of illegitimacy and divorce and so on, but Senator Moynihan's essay actually focused on how we have "normalized" high levels of predatory street crime, especially juvenile crime. And as usual, I think, Senator Moynihan was right.

We must not deny the statistical and ethnographic realities of juvenile crime that are really staring us in the face. We must not persist in defining juvenile criminality down. It is not only the sheer volume, but the increasingly depraved, impulsive, remorseless character of much of this crime, including much of the so-called nonviolent crime, I think is beyond serious dispute.

There are many competing explanations of the root causes of juvenile crime. In a book that we have just completed, Dr. William Bennett, John Walters and I argue that while there are many

causes, and while there are many paths to understanding this phenomenon, the single most important root cause is what we define as "moral poverty."

As we define it, moral poverty is the poverty of being without loving, capable, responsible adults who teach you right from wrong; the poverty of being without parents and other authorities who habituate you to feel joy at others' joy, pain at others' pain, happiness when you do right, remorse when you do wrong; the poverty of growing up in the virtual absence of people who teach morality by their own, everyday example and who insist that you follow suit. In the extreme, moral poverty is the poverty of growing up severely abused and neglected at the hands of deviant, delinquent or criminal adults.

Whatever their material circumstances, kids of whatever creed, color, demographic description, socioeconomic status, region, or ZIP Code are more likely to become criminally depraved when they are morally deprived. The abject moral poverty that produces juvenile violent offenders most often begins very early in life, in settings where unconditional love is nowhere, but unmerciful abuse is the norm.

There are numerous studies, not only the common sense of the subject and the testimony of crime victims and justice practitioners, but numerous studies that make this point. To cite one that I recently completed with George Mitchell, we looked at the complete records of a randomly-selected sample of prisoners from Milwaukee County, Wisconsin. After combing through 3,500 pages of records, we found that regardless of racial background, regardless of other characteristics, these features were common to most inmates: A father was rarely present; parents often were unemployed and receiving public assistance; physical violence in the home was common; drug and alcohol abuse was widespread; most did not have a high school degree; most with a G.E.D. earned it in prison; and many had fathered children with one or more single women.

It is obvious—it does not take a Ph.D.—in fact, I think it is often the case that it takes a Ph.D. to doubt—that the best way to approach this problem is to do what we can to have our children nestled in loving, stable, economically solvent, two-parent families, in relatively drug- and crime-free communities. But it is by no means the case that the traditional family is the only way for a child to accumulate the moral capital needed for a successful, battle-scar-free journey to adulthood.

In this regard, I would point to the work done on Big Brothers, Big Sisters of America, Boys Clubs and Girls Clubs, any number of initiatives which have shown conclusively that positive, nonparental adult influences even in the lives of the most at-risk kids, can make a positive difference.

Of course, there will be some kids who will fall into the trap of juvenile criminality and predatory street crime no matter what we do. I hold no brief for not punishing or incarcerating these kids, but I suggest to you that where the problem is worst, most especially with respect to the problem of juveniles who are doing the most serious and vicious crimes, we must really go to community-based solutions. We must really look beyond the normal panoply of solutions that we have executed over the last three decades.

I for one am absolutely convinced that our best single bet against juvenile crime is to do whatever we can to help mobilize the vast potential of inner-city churches in the way that Pastor Smith, Reverend Rivers, and literally hundreds of other clergy have done or are beginning to do in our most distressed neighborhoods.

Thank you.

Senator COATS. Thank you, Mr. DiIulio.

[The prepared statement of Mr. DiIulio may be found in the appendix.]

Senator COATS. Reverend Rivers?

Father RIVERS. Thank you, Mr. Chairman.

Today, more than 10 million Americans now face a crisis of catastrophic proportions. Life in the major postindustrial centers in the United States is genuinely poor, nasty, brutish and short. It is often a choice between suffering and abject misery.

The prospects for black and brown males are perhaps a bit more exciting. There is, of course, death due to homicide or drug-related HIV infection, and then there is incarceration, which too frequently provides an opportunity to refine the skills required for a career of criminality.

If current conditions for many black Americans in the inner city persist, two developments will follow. First, we can safely assume that the young black mothers and fathers will not transmit to their progeny the values and norms associated with intellectual and cultural achievement. Second, as entry into labor markets becomes increasingly dependent upon education and high skills, we will see, perhaps for the first time in the history of the United States, a generation of economically and culturally obsolete Americans.

But remarkably, the tragedy many face grows still worse. Unlike their ancestors who came out of slavery and entered this century with strong backs, discipline, a thirst for literacy, deep religious faith, and hope in the face of monumental adversity, this society has produced a generation who do not know the ways of the Lord. Moreover, it is a generation of children who would be, given the labor market, ineligible for slavery if the institution were to be reestablished.

Consider this achievement. A generation of poor women and children may reach the end of this century in an economically and politically inferior position to their ancestors who entered this century in the shadow of formal slavery. This generation of young people will end the 20th century worse than their ancestors began it. Unable to see a more rational future through the eyes of faith, they lack the hope that sustained their forbearers. Lacking hope, they experience what Harvard sociologist Orlando Patterson has called "social death." But unlike the "social death" of formal slavery, this new social death is fundamentally rooted in the destruction of faith and hope.

The crisis at its root is spiritual. Without the transformation or conversion in the lives of these young people, there will not be any significant development. Faith-based initiatives can and must have an impact and be supported in the United States if this country is not to descend into a State of virtual political apartheid.

In a world without faith and hope, history and identity are themselves divested of meaning. So, as Christian philosopher Cornell

West has correctly argued, "the future is transformed into a spectacle of nihilism and decay."

In the end, it is this profoundly spiritual nature of the current crisis that gives its unique historical character.

In concluding, if Professor DiIulio and Professor Fox are correct, we now must do all that we can to mobilize communities of faith to work on the ground, in the bush, to retrieve a generation of young people who will, as they begin the next century, be unqualified for slavery. Thirty years ago, I was pulled off the streets of inner city Philadelphia. I was a member of a gang. At the age of 13, I was given my first .038 revolver and pressured to attempt to murder two young people. I resisted, and I resisted because of the normative structure which had been inculcated in my by my Sunday school lessons. The moral consciousness that was imposed upon me by my mother, who prevailed upon me to attend Sunday school in the face of considerable protest resulted in transmitting the values and norms which were the inhibitors and resulted in two young people's lives being spared. That was 30 years ago.

Thirty years later, I look out as I work on the streets day to day with young people at risk, and a couple of things are very clear, and the evidence that Professor Fox and Professor DiIulio have presented is borne out anecdotally and empirically on the streets of any major city. We must do everything we can to support aggressively faith communities that have uniquely the moral, the normative vocabulary to speak to the depth of the crisis which is now overshadowing millions of young people in this country today.

I implore you to encourage and deepen this discussion because it is my real fear that if we fail to promote a vision of hope, we will in the last analysis, as we begin the dawn of a new century, resurrect apartheid as the logical alternative to a crisis that we could have addressed.

Thank you very much.

Senator COATS. Thank you.

[The prepared statement of Father Rivers may be found in the appendix.]

Senator COATS. Professor Gurule?

Mr. GURULE. Mr. Chairman, Senator DeWine, it is a privilege to testify before this subcommittee on an issue of utmost concern to this Nation. Clearly, the single most important criminal justice issue facing this country today is the escalating problem of juvenile violent crime and gang-related violence.

The statistics are irrefutable. The incidence of juvenile crime and gang activity have become increasingly more violent. While juveniles may not be responsible for most violent crime, the growing level of violence by juvenile offenders does not bode well for the future of this country.

I have included some statistics that further bear out this point, but I will not repeat them here. I would like to summarize my remarks and focus on a couple of points.

Regarding the escalating incidence in violent crime, I think it is important to note that this disturbing phenomenon is not confined to large metropolitan cities, but extends to smaller cities, towns and rural communities. In fact, in Salt Lake City, UT, where I have spent this past summer teaching at the University of Utah

College of Law, at a recent meeting of the Salt Lake Area Gang Project, it was disclosed that there had been more than 90 driveby shootings so far this year, compared to 60 in the same period last year. Additionally, gang-related violent crime generally has increased in 1995 by 23 percent from the year before. A fatal driveby shooting of a 17-year-old this 4th of July underscores the seriousness of gang activity in Utah.

Members of the Salt Lake Gang Task Force further noted that females are taking a more active role in gangs, and gang members are recruiting kids at younger ages than ever before. Additionally and most disturbing of all, the types of crimes being committed by juvenile offenders have never been more brutal and violent. In sum, graffiti has given way to driveby shootings, murder, and other violent crime.

Let me try to put the complexity of the problem in perspective by putting a human face on the problem. The problem of gang-related violence has taken on what I refer to as an intergenerational dimension. Many kids who join gangs at a young age have older siblings or even parents who are involved in gangs. Thus, the values and moral poverty embraced by gang members are being passed on by the parents to their children, who in turn pass on these values to their children, and so on.

The intergenerational dimension and complexity of the gang problem was graphically illustrated to me most recently by a good friend of mind who is a Third District juvenile court judge in Salt Lake City. He described a juvenile court proceeding where a 16-year-old appeared before him accompanied by his father. The youth had a long criminal record and had appeared before the judge on numerous prior occasions. On this occasion, the 16-year-old boy was bound to a wheelchair, a paraplegic, having been paralyzed from the waist down in a gang-related shooting.

The juvenile court judge was quite familiar with the family, not simply this particular young man. He had placed the 16-year-old boy's 14-year-old brother in a juvenile work camp where he, the 14-year-old, had recently escaped and remained a fugitive. Furthermore, the judge recognized the father, having represented him on a drug-related offense several years earlier, when he, the judge, worked in the public defender's office prior to being appointed to the bench. Finally, the juvenile offender was accompanied in court by his 13-year-old sister, who was approximately 6 months pregnant at the time.

The judge expressed his frustration with the enormity of the problem, stating that he had subsequently learned that the 13-year-old girl had given birth, and the newborn child had been detected with traces of cocaine in her bloodstream, and as a result, the 13-year-old girl and the newborn child are now wards of the State.

The judge somberly remarked that the above-described juvenile case scenario had become all too commonplace in his courtroom—again, I think, a perfect example of what the other panelists have been talking about relative to the moral poverty issue as it exists today.

The scope, nature and complexity of the violent juvenile crime problem in America defies easy solution; there are no easy answers,

no quick fix, no Federal Government program. Let us just disabuse ourselves of that notion right up front. No Federal Government program can solve the problem.

Instead what is needed is a bold, innovative, long-term strategy to confront the problem of juvenile violent crime and America's moral poverty. This strategy requires two essential components—incarceration of repeat violent juvenile offenders, those who have continued on this path of violent crime, and the second component involves early intervention and prevention.

I think we have to bite the bullet here that, while young in age, there is a small group of hardcore offenders, hardened criminals with a long history of serious violent crimes that are not going to likely respond to prevention efforts at this point. I think that is something we have to step up to the late, admit, recognize, and deal with. Relative to these individuals, more social work is not the answer. These juveniles pose a serious risk and danger to society and must be incarcerated.

Prior to appearing here today, I had an opportunity to speak with Salt Lake City Police Chief Ruben Ortega, a 36-year veteran of law enforcement. He stated that many of these kids know that they are not going to live long and thus do not fear death. Those are the kinds of individuals that we are dealing with at that level, but that is only a small percentage of the criminal offender. The second component is an effort to address the larger juvenile population that I think can be turned around, is amendable to prevention programs if the system intervenes early enough, and on that level, I think the court must intervene earlier, and I think the prevention programs must be coordinated and must be concentrated and interdisciplinary and must involve churches, schools, the criminal justice system, social service agencies, health departments and so on, to address the problem in a comprehensive manner.

Thank you.

Senator COATS. Thank you, Mr. Gurule.

[The prepared statement of Mr. Gurule may be found in the appendix.]

Senator COATS. Jerry Regier, welcome back. It is great to see you, and we appreciate your willingness to come and testify.

Mr. REGIER. Thank you, Senator Coats, Senator DeWine. It is also a privilege to be here with my former boss, Professor Gurule.

I want to just take a few minutes to summarize a couple of things that I have said my written testimony. We are seeing the same epidemic that these gentleman have talked about in the State of Oklahoma, and I will not go through the statistics, but juvenile crime has soared there over the last 10 years, and we are doing whatever we can to come up with the kinds of new strategies that they are talking about, and I want to share some of those with you.

I would submit first that a wall which previously protected youth and prevented involvement in juvenile violence has now deteriorated. Bricks in this wall have progressively eroded, causing it now to officially crumble. When I grew up and in the circumstances, I might add, that I grew up and that many of us grew up, these necessary bricks were still available to assist us through those tough teen years and become productive citizens. But now, much of that wall, what I would call maybe even a wall of protection, has really

officially crumbled for many of the kids, both in suburban America as well as in urban America.

The bricks that have eroded—and I have articulated those and will not take the time to go through each one of them—but I believe they are the family unit; the moral character that kids are receiving, the training they are receiving and not receiving; the consequences and accountability that we have failed to provide for them—and it is our responsibility to do that, not theirs; the education—and I would particularly point out especially literacy, and we see that all the time as we are dealing with the juveniles in the State; and the final brick is the skills preparation, where many of them are totally unprepared to face the real world.

As I have looked both from a national perspective in past years and now from a State perspective, I have thought about programs that do work, and we all are interested in trying to figure out what makes something work and what may be the reason why it does not work. As I have looked at programs that work, I am reminded of a conversation that I had with Bob Woodson a number of years ago here in Washington—many of you know Bob; he is probably one of the leading authorities on grassroots programs and what is working at the grassroots in communities—and he told me that it dawned on him 1 day after looking at many, many programs that the majority of programs that really work at the community level are programs that have a spiritual component; they either have a spiritual component in them, or some the staff who are working in the program are there because of their own spiritual commitment and are trying to pass that on.

I think that there are several principles that really do come out in programs that work, one being a spiritual component in the programs that really do work, and that goes right along with the second principle, which is personal relationships. You cannot turn kids around without getting your hands dirty. You have got to get in there and actually do the hard work of building personal relationships. Many times, people who come from the kind of commitment that is exhibited in the churches of America are those who are willing to get into that fray.

The Governor of Oklahoma, Governor Frank Keating, recently met with a large group of pastors, challenging them not only to talk about these issues in terms of their pulpits and spread the word of what they think should happen and what their parishioners should be involved in, but also to get involved on a broader level. It is on that level that I want to spend the remainder of my time, because I think that Government does have a role to play, not just in providing what we call the "bully pulpit"—I think you are doing that today; you are providing the leadership and allowing us to present some new solutions—but also in actually getting involved with nonprofits and churches in particular.

The wall of protection I referred to earlier has always begun with the family members, then the neighbors, then charitable and civic groups. It has now disintegrated, leading to what Professor DiIulio has called "moral poverty of growing up surrounded by deviant, delinquent, criminal adults in abusive, violence-ridden, fatherless, Godless, and jobless settings." And I think he is right on target.

The Government was never intended to shoulder this burden, nor is it equipped to do so, but Government is concerned about the safety of its citizens, and being concerned about the safety of its citizens, it is not only mandated to protect its citizens, it should rightly provide leadership, in my view, to bring morality back into the lives of these kids because morally-deprived kids are the very ones most likely to become criminals.

As Government does that, the question is how can they do it. They cannot bring morality to kids; only people can. But Government can impact the crime epidemic by being willing to be a participating partner.

Very quickly, in Oklahoma, we are planning to do several things. One is to create a network of partner churches statewide. We have begun an initiative called the church initiative where we are going to churches and asking them to be involved in the areas of foster care homes for delinquent kids, and many are responding; adopting a group home—we have supervised independent living homes for our juveniles, group homes of 6 to 12 juveniles. We are asking churches to adopt one of those homes because we think the number of people within the church have the ability to provide a whole raft of resources, whether it is helping those kids get jobs, whether it is clothing, whether it is how to buy groceries—a number of different things—rather than just one family having that burden, to have a church take that on as a church. So we want to have a network of churches across the State.

Interestingly, as we have gone to pastors and asked them to get involved, when they pick themselves up off the floor because we have been asking, they tell us that many times, they have wanted to be involved in this kind of thing—and many churches do this on their own, but in terms of a concentrated effort—but they have not known exactly what to do, and in many cases they felt unwanted in the Government arena, so to speak, and felt like they could not come in because of all the myths out there between church and State.

Second, we are going to do a network of youth volunteers, and I want to mention that just very briefly because Senator Coats, you may be particular with this because it has worked in Indianapolis, and we are going to do the same thing in Oklahoma City.

It has actually been a partnership in Indianapolis between Mayor Goldsmith, Judge Payne, the juvenile judge, and Bill Gotherd's advanced training institute there. From this training institute, he is providing volunteers who go out into the community, and these volunteers are kids. I recently invited him to Oklahoma City because he has purchased a hotel in downtown Oklahoma City for the same kind of training center. So we had a meeting of our U.S. Supreme Court chief justice, a number of leading Government people, some people from the religious community, the D.A.'s office, and invited him to bring 300 youth volunteers to our city and to our State.

These kids basically pair up with kids on probation. The kids are brought before the judge, and the judge gives them the option. It is a voluntary choice that they and their parents make. They are paired up with these kids. These kids go out into the community and are there 8 hours a day with the kids, with their families,

doing whatever, tutoring, being a part of their lives, helping to inculcate some of the things that we have talked about that these kids need.

Third is a network of youth service agencies statewide. Whether it is Boys and Girls Clubs, with which we are all familiar, and which are doing a tremendous job, or whether it is youth service agencies—in the State of Oklahoma, we have a network of 41 of these that are geographically placed around the State. These are the ones who are on the front lines. They are the ones who do the first offender programs, they are the ones who get involved in teen court, recreation and tutoring.

Unless we begin to really put up what was a wall of protection for me, but what can be a wall of prevention for these kids, we are going to lose the battle. But we are excited about the possibilities.

Thank you very much.

[The prepared statement of Mr. Regier may be found in the appendix.]

Senator COATS. Well, thank you all. That was some terrific testimony. I appreciate your willingness to abbreviate what is an extensive body of knowledge here, and I think this is a terrific panel. I appreciate your contributions.

I have to exit for about 5 minutes, Senator DeWine, just to make a phone call, so I will turn to you first for questions. Please take all the time you need.

Senator DeWine has had extensive experience in the State of Ohio in these areas. We are pleased that you are on the panel and pleased that you are here to listen today. I will be back very shortly.

Senator DEWINE [presiding]. Thank you, Mr. Chairman.

Mr. Humes, in January 1973, I walked into the Green County Courthouse in Ohio on my first day as an assistant county prosecutor, and it should not come as a shock to you to hear that within about half an hour, someone had shoved me a file and told me to go down to the basement, into juvenile court. So I understand your point that juvenile court has historically not only been secret or semi-secret, but it has also been looked upon as sort of the lower tier of the criminal justice system, and "lower tier" meaning least important. I think we all realize today that it is probably the most important and that what happens initially to these young people is in fact very important.

One of the things that you mentioned triggered a thought in my mind about an experience that I had, and I would just like to make a statement and then see what kind of reaction I get from any of you who may want to respond to it.

I think we are improving in this area, but something that struck me many years ago when I was a county prosecutor was that in the juvenile court, there really were not too many tools or too many options for the judge, that often the judge would look up and say that he or she basically had only two choices—one was to put the person on probation, under some sort of supervision, and that was pretty much it; or send the person to the Ohio Youth Commission. And there was not much in between.

Now, over the years, I have seen, at least in Ohio and in many of our counties beginning to be built up more of a continuum of

punishment, a continuum of tools to be utilized by the juvenile court. I wonder if any of you would like to comment on that basic statement and tell me how important you think that is as far as having a continuum of punishment or tools available and where you think we are in this area.

Mr. HUMES. Yes, I think your observation is correct; there is more of a continuum. First of all, I will say that California has addressed the problem of the limited jurisdiction of the juvenile system by extending its jurisdiction. California I think is alone; there may be one other State that accepts jurisdiction over juvenile offenders until age 25, so that 14- and 15-year-olds who require extensive incarceration or supervision can actually receive it without necessarily going into the adult system.

I think where the continuum is breaking down is not in the incarceration side of the system, where there are various kinds of camps, boot camps, detention camps, and on up to youth prison institutions; it breaks down with the probation supervision. The Council on Crime in America, chaired by William Bennett, just reported that overall for probation nationally, we average about $200 a year expenditure per probationer, and we are really getting what we are paying for, which is nothing. In Los Angeles, we are getting probation officers calling up their kids and asking, "Hey, are you going to school?" Oh, you are. "Great." And they call the next probationer. That is not supervision.

When a judge wags his finger at a kid and says, "Young man, don't hang out with your gang, go to school every day, follow the conditions of the probation, and everything will be great," and then he leaves, and there is the probation officer who is charged with enforcing those conditions, who will never be in a position to know, unless he is arrested for another crime, whether those conditions are being followed, that is meaningless.

One proposal that has been floating around Los Angeles for years was to put probation officers directly in the schools where they could observe their probationers every day, 5 days a week, they could monitor, and at the end of the school day, they could call their probationers into the office and say, "All right, young man"—or young lady—"it takes you 15 minutes to get home; I am going to be calling your house in 16 minutes, and you had better pick up the phone," that is in-your-face, real supervision. And it would be even less costly than having probation officers in remote offices, and yet the barriers to creating cooperation between the education system and the juvenile justice system are so immense that this proposal has never been enacted in Los Angeles—although I have not been able to find out why.

Senator DEWINE. If I could just follow up on that, what did you say was the average as far as caseload?

Mr. HUMES. One hundred fifty to 200 juveniles per juvenile probation officer. It is even worse for adults, where it is upwards of 1,000. They have something called the "bank" of probationers, which means they monitor them by computer to see if they show up on the NCIC report and other systems that report arrests of probationers.

Of course probation is failing because we have never tried to make it work, and we cannot afford to do that with juveniles be-

cause you can see the progression of kids. The statistics that Professor Fox and John DiIulio talk about are borne out if you just sit in the courtroom and watch what happens; day in and day out, you see kids coming in with three, four, five arrests, without any consequence, without any meaningful supervision being imposed upon them.

I looked at arrests for car theft in Los Angeles. If you are a juvenile arrested for car theft—and those are not the kids who get away with it, which are probably the majority—if you are arrested for car theft, you can be assured that three out of four times, there will be no consequence imposed on you. If you go to juvenile court, you will not even get probation; you will be diverted into some nonsupervisory program. But most likely, you will just be counseled and released by the police officer who picks you up, which is the most common result for a juvenile arrest that I have seen.

Senator DEWINE. Virtually no consequence for stealing the car in your example.

Mr. HUMES. Well, what happens is this self-defeating mechanism where police officers, who are the intake mechanism for the juvenile justice, will give a break to the youngest kid with the least record and just let him go. They will give him a stern talking to, but what they are doing it turning loose the kids that can still be perhaps turned from pursuing crime as a career and giving them the lesson that they can get away with their crime because they are being let off. And instead, we are bringing in and focusing on the kids who are already hardened and have repeat offenses; then we are imposing consequences on them when it is too late.

Senator DEWINE. Reverend Rivers?

Father RIVERS. I am really challenged by your question. One of the things that is sort of interesting in our experience in Boston is that about 3 years ago, about 25 pastors met with the commissioner of probation in Massachusetts to develop a partnership which involved churches agreeing to provide youth workers who would function as ombudsmen and advocates from the churches in the courts, because there was this extraordinary backlog in the juvenile division.

So we worked out a system whereby a church would agree to work with a particular probation officer, and kids on probation would be sentenced to a number of alternative sentencing programs which were mandatory and had to be complied with as a condition of probation.

So that, for example, we have fatherhood programs now based in churches to which young men on probation can be sentenced as an alterative. As a condition of probation, we have an 8-week program where we take them through some very basic information about what it means to be a father, because frequently, a lot of these young men are parents. We are working on young people in the juvenile division being sentenced to G.E.D. programs as a mandatory condition for probation.

In one part of Boston, there are "History for Literacy" programs being established where a child is sentenced to a literacy program as a condition of probation. We are now working on developing support for 30 churches to commission to the various district courts in

Boston youth workers, advocates, ombudsmen, who will work closely with the chief probation officer to pick up a caseload to assist.

One of the things that has been sort of interesting in much of the discussion around these issues is that when they have talked about probation, they have always, for some reason that may be more ideological than anything else, eliminated faith communities. That may be a function of the sort of "flat Earth" mentality of much of the social science work that is done around the crime policy stuff.

You have any number of faith communities that are simply looking for direction, and so what we are working on now is trying to develop and mobilize the faith communities to work very closely and to develop alternative sentencing programs which will do education, which will do literacy. There is one church in Boston that is working on an entrepreneurship program that they want to get young men who are involved in drug dealing involved in as a condition of probation.

So there are a number of ways that the faith community can be encouraged to be more active.

Senator DEWINE. You must have a willingness, though, at the same time as the juvenile court system to work with faith-based groups.

Father RIVERS. Well, most of them that live on the Planet Earth do not get caught up in the general, kind of suburban, Manhattan, Frisco, ACLU, debate about church and State. In fact, most of the juvenile judges that I have met are entirely open since they live on the Planet Earth, and they have got to deal with this on a day-to-day basis.

The ideological debates around the church-State stuff, they reserve for constitutional scholars and a lot of folk who are not directly dealing with this on a day-to-day basis. So we do not generally have that problem. It is usually among the elite that we have the biggest difficulty, who are safely removed from most of the issues.

Senator DEWINE. I just want to follow up on that. What you are telling me is that you do not have this problem with our local probation officers.

Father RIVERS. The probation officers are begging.

Senator DEWINE. They are happy to have the——

Father RIVERS. Oh, listen, listen. I mean, they are in hog heaven. The opportunity for some responsible individuals who are willing to take accountability—and let me just be real frank—this is especially important for the black community that, since a disproportionate percentage of our kids get caught up in the mix, the faith communities, which are ostensibly these moral institutions, have to be actively involved in a very aggressive way. So we are encouraging pastors in some cases to go out on patrols with probation officers, identify the kids in a particular neighborhood where a church is located, and work with the probation officers and use a carrot-stick approach—"Listen, Clarence, you need to chill, get off the street, go home, or we are going to sentence you to a program, or we are going to chance your address and hopefully, change your attitude."

So there is a lot of openness now on the ground.

Mr. REGIER. And let me add that I think juvenile judges—you know, when you are in a war, you do not stop and think about how you are going to debate it.

Father RIVERS. That is right.

Senator DEWINE. Oh, absolutely.

Mr. REGIER. Reverend Rivers is exactly right. Judges tell me that when kids walk out of the courtroom, they crumple up the probation papers as they walk out.

Father RIVERS. That is right.

Mr. REGIER. And until we come up with alternatives, as you have brought up, Senator, the alternatives are critical, and some of the things that we are trying to do mirror what Reverend Rivers is talking about because we think we can mobilize these youth in particular. And the program that I was talking about will not cost us a dime. Now, there are programs that we do want to put some money into and support in terms of community groups, but this particular one will not cost a dime.

So the big problem is getting kids to follow probation, and if you shadow them for 8 hours, you are going to see something happen. And unless we do something on the front end, we are not going to see an impact.

In Oklahoma, a juvenile has to commit on the average of seven felonies before he gets defense. So we just do not have time to deal with the front end. And in deference to law enforcement, as the comment was made earlier, law enforcement many times does not arrest these kids because there is no place to put them, and it takes up their time.

There is a concept that has been pioneered in Florida which we are attempting also, called community intervention centers, community assessment centers, and it is a concept which allows law enforcement to drop the kid off and go on about their business. It is a 24-hour-staffed location, so that it can be kind of a switch point for the kinds of things that we are talking about.

Senator DEWINE. Professor?

Mr. GURULE. Let me make one comment. It seems to me that the juvenile justice system has a responsibility, if it does nothing else, to convey to juvenile offenders that actions carry consequences. And I think that most juvenile justice systems are broken down on that point because they are starved for resources; they do not have the resources, the graduated, intermediate sanctions to convey that message. And let me just give you one example.

When I was assistant attorney general, gang-related violence was the top priority for OJP funding in the Department of Justice. Along those lines, I had an opportunity to interview the director of what was considered to be a model juvenile detention center. After touring the facility, I asked the director to describe the typical criminal profile of the juvenile offender that he had ordered placed in the detention center. He stated that on average, the juveniles who were in the detention center had been arrested for the commission of 20 to 30 criminal offenses—20 to 30 criminal offenses.

I did a double-take on that number, and I asked if these were serious offenses, and he said the vast majority of these, had they been committed by adults, would have constituted felonies.

So if we have a juvenile justice system that fails to intervene firmly and strongly until a juvenile offender has committed upwards of 20 or more criminal offenses, it is clearly in need of major reform, and it is sending just the opposite message. Instead of sending the message that actions have consequences, the message that is being sent is that you can do the crime, and you can get away with it.

Senator DEWINE. Actions have no consequences.

Mr. GURULE. Exactly; the opposite message is being sent.

Senator DEWINE. Mr. Chairman, if I could just follow up with one additional question—what has been your experience, those of you who have been involved in this, as far as getting suburban middle-class churches involved? The inner city is one thing, but what about all these churches out there, and the people that go to church on Sunday, or they go to church on Wednesday night and Sunday, and that is great—but the churches are really not involved in any community.

Mr. REGIER. Just a very quick comment, and then I will turn it over to Reverend Rivers. What we are finding initially in talking to pastors of suburban churches is that they very much want to get involved but need some rails to run on. And whether those rails mean hooking them up with an inner city church, whether it is telling them exactly—"Look, do one, two, three, and four; that is what you could do"—so we feel like they will be getting involved, but that is what has held them up.

Father RIVERS. I agree with that completely. In Boston, we have a coalition of 37 churches and para-church agencies that are working on the issue and have been working since about 1992. There are beyond that about 15 suburban, upper-middle-class white churches, to cut right to the chase on your question, that are actively involved in trying to develop material and spiritual support for front-line ministries in the inner city.

Now, what has assisted that is the work of Professor Fox and Professor DiIulio, and in particular, there is an article that Professor DiIulio published in the Weekly Standard back in November of 1995, "The Coming of the Super-Predators." Well, we circulated that to about 50 churches and said, look, this is the short version of the story. What you think is confined to the casbah, and the bush, and the ghetto, well, you see in the present your future. Now, you can pay now or pay later. That is the basic reality.

My sense is that there is a difference, you know, for folk who avoid a problem—humans as a rule avoid a problem if they can—but when confronted with the issue, there is general concern. And if you resist the temptation to engage in the race card and finger-waving, then people will respond in a very decent way.

In the Archdiocese of Boston, Cardinal Law has put the entire archdiocese behind supporting front-line ministry in the inner city. The churches along the suburban rim of the city have been involved and provided material support. In Boston, there has been an interfaith initiative around a related issue, the burning of churches, that has raised $200,000, a large part of it from suburban churches that genuinely felt a need and approached it in a way that promoted dialogue and did not produce guilt.

So my sense is that if we can push the dialogue with informed, reasoned discussion, and demonstrate that, while you might think it is a black problem, in a minute you are going to see it, folk will respond to their interest.

Mr. FOX. Let me add something here. I clearly do not have the expertise that Reverend Rivers does, and for years, I have admired his work, but I would still like to put my 3 cents in here—a little bit of inflation.

It is wonderful that we have all this talk about the involvement of church in the fight against crime, and it is wonderful to have more and more people involved. One of my favorite lines of John DiIulio—and he has many great lines—is this idea that we should not build prisons, but build churches. I would like to add something to that. Let us not just build churches. Let us build ball fields—and not just ball fields—let us look at our playgrounds, and let us look at athletics.

Many good programs focus not on religion and religious institutions, but focus on good, old-fashioned sports, which is a wonderful alternative for many kids to some of the other thrill-seeking activities that they might participate in on the street.

There is a program in New England, for example, called PLUS, Personal Living Using Sports, that has athletes coming into high schools and elementary schools, talking with kids about cooperation, teamwork, competition, trying to understand through examples in sports, which they obviously enjoy talking about and thinking about, the notion of cooperation and how critical it is that one person cannot just go off on his own and try to dominate the team and not look out for his team-mates, and what happens in those instances.

There is another project called Project Teamwork which is a national program, actually, out of Northeastern University, the Center for Sport and Society, Richard Lapcek, which is a wonderful program that brings former professional athletes and college athletes into inner city neighborhoods everywhere.

Now, these are people whom the kids look up to; they clearly do. And Reverend Rivers does a great job, and with all due respect, Mickey Rivers might have a greater selling value to some kids.

Father RIVERS. Maybe, maybe.

Mr. FOX. Maybe. But besides the clergymen, there are a lot of other people out there, college athletes, even high school athletes, who can work with younger kids and can be wonderful role models and get kids involved with things that will be meaningful to them.

It really frustrates me when we talk, and we ridicule midnight basketball, but we embrace midnight curfews. We would rather say, "No, you cannot do this," rather than, "Yes, you can do this." And midnight basketball, of course, is just one thing that people picked up on, and of course, most midnight basketball programs are not at midnight. We need daytime programs, not just basketball, but baseball, soccer, a variety of activities. And if you look at our ball fields, they have gone into terrible states of disrepair, and I think we are suffering for it.

So I agree that the church should be involved, but let us not forget about Little League, soccer leagues. We need to do a lot better in this country with allowing parents to be involved with these pro-

grams—that is, corporations have to allow their employees to be involved with these programs.

I am a great admirer of Senator Biden, and one of the greatest things about him is his tradition of going home and being involved with his family's athletic events. This is something that is wonderful that we all should model.

Father RIVERS. Can I add to the good professor's I think entirely accurate observation—I agree completely—athletes, team, PLUS, absolutely.

I would like to push, to possibly deepen the discussion a bit, the normative envelope on the issue that you raise because I completely agree with the business about sports, so I am not trying to poach on the programmatic piece and say the church is the only solution. Far from it. That is not my claim.

Very quickly, about 4 years ago, half a dozen pastors met with three young heroin dealers in a crack house. It was sort of a summit meeting where much of the work that we are doing currently was sort of inspired. We were challenged, and we sat around with a very sharp heroin dealer who had all of his business logged on a PC. I mean, this was a very, very sharp operator, very, very smooth, with a couple of PCs, a two-way radio—the cops did not have a chance. He was a smooth operator, very cost-effective, a streamlined operation. He had downsized, was very lean, mean.

We pushed him on this. We said, Brother "X," what might the churches do, or what needs to happen, what is going on in this crisis here? And what was interesting to us—and this is where I come from on this business—was that there is a segment of the population—the vast majority of kids need exactly what the good professor said here—more basketball, more athletics, more esteem, and so on. And so, for let us say 80 percent of the kids who are in the mix, roughly, that pretty much does it.

Then, you have that critical—and you guys argue numbers; that is sort of your gig, but whatever the relevant percentage is—that percentage of kids who are the total back-breakers. They are the ones who are the elite, who exert a disproportionate influence over this larger cohort, who get caught and then shape and then drive political debate because Presidential elections move on the ebb and flow of whether or not you can pin blacks with crime.

Now, in the discussion with that critical sector, they said, look, there is a moral crisis in the black community. This is a heroin dealer, now. He said, "Listen, this is real basic. I will tell you why I am winning. In the morning when a kid goes out, I am on the corner, you are there. I am there, you are not. When the kid comes home from school, I am on the corner. I am there, you are not. When mommy sends Clarence out for a loaf of bread for dinner, I am there, you are not. I win, you lose."

He says this is not rocket science. In fact, a Ph.D. probably militates against any comprehension. This is real basic. In that crack house, he said, it is very, very basic. I am there, you are not.

It is easier to get into a crack house on a Friday night than it is to get into a church, or a gymnasium, because there are not enough gyms—I am going to back you, Jimmy; we have got to have lots of gyms.

So my point is that there is a crisis of moral and cultural authority, and while basketball is great, and we have got to have it—and look, Professor Fox, any way I can endorse any program to get any of your programs that you are pushing, I want to do that as much as I can. With that said, there is a deeper normative issue which has to do with the larger society and the crisis of moral and cultural authority, and to the extent to which faith communities possess the normative language to insert into the culture, doing aggressive street-level outreach, there is no substitute for that.

This is something I picked up. And when you go into the courts, and you talk with some of the sharp operators who really have influence, there is a moral crisis here, and they acknowledge that. Part of it is the hypocrisy of society that gives welfare to corporations that do weird things in other countries and then says let us do things to poor folk.

So there is a normative moral issue that we have got to confront, and faith communities have to be challenged to be more active so that we provide the kinds of services that Professor Fox has said we so desperately need.

Senator DEWINE. Thank you.

Thank you, Mr. Chairman.

Mr. REGIER. Could I just add one comment to that, because those who know me know that I totally support sports as an avenue of working with kids, so I think Professor Fox has brought up a good point.

But I would also like to follow up as Reverend Rivers did, that churches are made up of ordinary citizens; they are the ones who get involved. So that whether it is a church, or whether it is a Boys and Girls Club, I want to be sure we do not lose the focus that what is needed out there is a moral aspect. Sports—again, I am not putting it down at all—but teaching a kid how to play ball, although it certainly adds something to that kid's life, there is something that is missing in the majority of these kids' lives that has more to do with their moral makeup than it does their sports—and unfortunately, too many kids admire the Michael Irvins of the sports world.

Father RIVERS. Which is a problem.

Senator COATS. Let me pursue that if I could, because I think the question that comes up over and over is, okay, if there is agreement that there is a serious moral dimension to this, and that moral dimensions can only be addressed by programs that deal with moral character, and the Government is not necessarily constituted to do that and should not do that, therefore, you have to turn to the State-based organizations, community organizations, volunteer associations and so forth.

The question that I received repeatedly, as I am sure you do, too, is: Well, that is fine and good, Senator, but you are naive to think that churches and community associations and Big Brothers and Big Sisters and so on can begin to pick up the slack. The dimension of the problem is so great that you are just tapping into a small percentage of it, and you are way off base.

What is the response to that?

Father RIVERS. It is true, churches are not designed to do what a State is designed to do when it takes tax dollars. Of course, if

the church had the money that the State has, then we could say give us the ball, and we will run with it, but we do not. And it is a false bifurcation to say it is either/or; that is silly. So the premise of the person who responded to you is at best erroneous; it is a false dichotomy.

We are talking about basic institutions of civil society which commit their institutional resources to resurrecting the fabric of depressed neighborhoods. Now, doing that does not mean that the tax dollars that are taken from us when we do what we do should not then be redirected to provide the macro-level support. It is not either/or, and that is a false dichotomy that we should resist because it does not deepen or further the discussion.

Senator COATS. Does anybody else want to comment on that?

Mr. HUMES. Yes. What I observed of the juvenile delinquents that I met, particularly those with long histories of delinquency, is that what seemed to be missing from their lives was any adult who provided any kind of attention or moral upbringing or anything else for them. And the kids who did better were the ones who found that somewhere; it does not matter if it is their baseball coach, their minister, their judge, their probation officer, or their teacher. It does not matter. If they get that from some quarter, those are the kids who seemed to me to be more likely to succeed and to get out of lives of crime. Now, that is not based on any statistical analysis; it is just based on sitting in a courtroom, watching to see who kept coming back and who did not.

I worked as a volunteer in juvenile hall. I taught a writing class once a week to the two high-risk offender units there. I was a volunteer with the Catholic chaplain's office there. They were desperate for volunteers, which may be why they took me. But I asked them who came to visit them. Nobody came to visit them. These kids sat in juvenile hall for sometimes upwards of a year and a half, and no one ever visited them. There was no one in their lives who gave enough of a darn to go and see them. That one, measly weekly class that I taught there became a highlight for their lives because, hey, here is someone who actually wants to give of his time. That is what is missing from these kids' lives—adults who care enough to even give of their time to them. And I think all the points are valid. It does not matter whether it is private sector, the charitable sector, or the public sector. They can all play that role. There is a role for volunteers from the community to give that to these kids because that is really, bottom line, what they are missing.

Senator COATS. Professor DiIulio?

Mr. DIIULIO. I would just add to the many good points that have been made in response to the various questions that have been asked that we are not really talking about—if you want to stick with the sports metaphor—open field running here. We are talking about a war of inches—maybe a war of feet or yards.

We are talking about kids whose material and spiritual condition is such that they could, with every justification, life their eyes to heaven and ask, "My God, why have you forsaken me?" For these kids, who have virtually no regular, routine, adult supervision, concern, nurturing in their lives, something beats nothing, okay? Something beats nothing.

I think the study that was done by Public-Private Ventures—and I speak with full disclosure; I am on the board, so I have an interest in saying it is a great organization, and it is a great organization—but the PPV study, "Making a Difference: The Impact Study of Big Brothers, Big Sisters," is a profound finding. This is a controlled study. It is the best kind of social science that you are going to get. You take 959 10 to 16-year-olds—these are kids who are way out of dirty diapers; we are not even talking about early intervention—and you put someone in the lives of these kids. The study looked at low-income kids, many with a history of family violence, many of whom have been abused and neglected. You put one adult, one responsible adult, in their lives a few hours a week, several times a month, and for that, you get over the course of a year a 46 percent reduction in using illegal drugs, a 32 percent reduction in assaultive behavior, better school attendance, better grades, less propensity to start drinking. Now, that tells us something about the extraordinary marginal value of even this much of an increase in the adult supervision and adult care in the lives of these kids.

I look to the churches primarily, not because I think they are a cure-all—they are not a cure-all—nor even because, as Reverend Rivers, more eloquently than anyone, I think, has written and lectured about, the churches have such a tremendous record in solving these problems, but because the faith-based communities have people in them who are willing to go 24, 7, 365 where the problems are the worst, where the kids are most dysfunctional, where the kids are the most dangerous.

I submit to you that Pastor Smith, from whose church Reverend Rivers comes in Philadelphia, in one of the more depressed neighborhoods of Philadelphia, has volunteers, but I suspect he could use a lot more volunteers. And there are people who simply will not go into the neighborhoods, simply will not be there for these children.

So the churches, as I see them, are magnets of human and financial resources that can be tossed and thrown and have adults swarm over these children who need it the most. These are the kids, again, whose material and spiritual condition is such—the 4- to 7-year-olds who, 10 years down the line, will be the 14- to 17-year-olds—the minnows who will turn into sharks unless they get some degree of serious, regular adult supervision.

Mr. FOX. One brief point here. We are talking about the churches being available and Boys and Girls Clubs, but there is another institution that is available in the after school hours, and that is the school itself.

We cannot give up on the idea of keeping schools open longer. There are many teachers who are willing to volunteer to stay at school longer in the afternoon, until 5 or 6 p.m. Many school districts in fact have rejected this idea of teachers volunteering to stay longer because they do not have a way to get the kids home; they do not want to pay for the late bus, and since the teachers are not licensed to drive kids home, since they do not have bus driver licenses, they decide to close the school entirely. So we have schools that have classrooms, that have gymnasiums, that have parents and teachers who are willing to volunteer. So let us not ignore the schools as well.

Father RIVERS. Absolutely not.

Senator COATS. Well, let me ask Mr. Regier—and I will come to you in just a second, Professor Gurule—I noticed on your three-point initiative—the youth service organizations, the churches, and so on—you did not mention schools. What is your assessment in Oklahoma of utilizing schools for after school hours to deal with these problems—or, have you had a chance to look at that?

Mr. REGIER. Well, this is where I guess I would say it is a good idea—but—because I think the education establishment is not as open to the after-hour kind of approach that other groups in the community are. So we have not specifically done that.

Actually, in the whole literacy area—because I think that is one of the major blocks or bricks in the wall that is missing—if the schools, in my opinion, would do the job that they need to do, in the time they have allotted, we may be able to make some progress in the education area.

Senator COATS. What about this question, though, of kids with nobody at home and nothing to do between the hours of 3 and 6 p.m.? If we opened the schools, they would have a place to go, even if they are shooting baskets on the playground.

Mr. REGIER. I think that would be a tremendous idea, whether it is the school, whether it is a Boys and Girls Club, whether it is a church that opens its doors for that period of time.

Again, the point goes back to what I have said and what others have said here, and that is, programs that work take personal relationships, personal time, and you have got to spend that time with them, not herd them into a room. So I think there are great opportunities there, but they have to be staffed appropriately so that people can respond.

Senator COATS. Professor Gurule?

Mr. GURULE. I just want to make one comment to the question that you raised regarding the person who had summarily dismissed the possibility that the religious community could effectively deal with the problem. I would probably respond to that person by asking the question: What is the alternative? Is it the status quo? Haven't we learned anything from the failed efforts over the last 20 years?

Clearly, more Federal programs of an impersonal nature, or more money thrown at the problem, is not the answer. I agree strongly with what Mr. Regier stated, that we need to have the religious and moral dimension attached to these programs, and we need to make these programs more personal. It is only going to be, again, where we have this one-on-one relationship with the individual that we are going to be able to make the kind of success that we need to make.

In addition, I think someone on this side of the table made the point that this is a long-term effort. If we are looking for the magic bullet or the magic fix, we are missing the point. It is not going to happen. It does not exist. It is a long-term effort, and we are going to win the battle inch-by-inch, step-by-step. It is not going to happen overnight.

Senator COATS. Mr. Regier?

Mr. REGIER. Senator, I just wanted to add, related to your previous question, that I do not believe this is a case where we say,

okay, church, we hope you all take over, and here is the ball, run with it. I think that is what we have done in the past.

I think Government should be a full partner in this, and I think Government can be a full partner. I have done just a little research, and you know, the whole word "secular" came from the area where you had sacred priests, and you had secular priests. The sacred priests took care of the church functions, the functioning of the religious parts of the ceremonies and so on. The secular priests took care of the day-to-day living, working with the people in the church and in the community.

So that somehow, we have gotten this thing all out of whack. When I was in the Department of Justice, as Mr. Gurule knows, we funded churches to do secular work within their communities because part of the job of Government is to mandate the public safety of its citizens.

So I do not think this is a case where you just say, Church, I hope you take this ball and run with it. I think we have got to be full partners with Government.

Father RIVERS. Professor Fox' point around the schools I think is absolutely true; there is no question about that. The only difficulty in Boston—and it is really a kind of funny difficulty that you run into—is the union stuff. I fought to get an elementary school open to do precisely that. I wanted to get some after school basketball to take up the 3 o'clock to 6 o'clock hours. And I got embroiled in the craziest set of fights that had nothing to do with the interests of the kids, because I was then being filibustered by the unions, which said, "Are you going to pay me $100 an hour more to keep the schools open?" which is, ironically, in an interesting way, why I ended up leaning more on churches, because I would not get into this union issue around keeping the schools open so the kids could just run around and run the sugar off.

Senator COATS. I would like to pursue the gender question. Professor Fox, do you have statistics relative to the percentage of female juvenile offenders broken down in terms of seriousness of offense? I think someone else—maybe it was you, Professor Gurule—mentioned the incidence of girls in gangs. Does anybody have any hard data on that?

Mr. FOX. The statistics on violent arrest rates for girls have increased pretty dramatically in a number of cities—not as dramatically as among the boys.

Now, that is basically assaultive behavior and some robberies. If you look at homicide, however, the girls have not seen any increase. The homicide rate by girls, black and white, is basically flat; we have not seen any increase. The entire youth homicide increase and epidemic is among boys, both white and black boys, not girls.

Senator COATS. OK. Let me just ask a series of questions, and if anybody on the panel wants to disagree or come to a different conclusion, I would like to know that.

There seems to me to be general agreement that, while what we see now is profoundly disturbing, the worst is still ahead of us. Is there any dispute to that?

Mr. FOX. There are people who dispute it, I should say—and can I just quickly——

Senator COATS. Apparently not on this panel.

Mr. FOX. Not on this panel. NCCD, James Austin and a colleague wrote a report that basically said that John DiIulio and I are overstating this issue about the demographics.

In fact, if you look at the population of teenagers in about 10 years compared to the 1970's, it is about the same, but that is if you do not break it down by race. The "baby boomerang," as I call it—and I know you have the report, so I will just direct you to a page—if you look at the demographics for white and black kids, they are very different. It is at page 14 of this report.

We will now see an increasing number of white teenagers, but the number of white teenagers in this country will not even come close to what it was in the 1970's. That is, the white baby-boomers had fewer children or delayed their childbearing much later than demographers had expected.

For black teenagers, the demographics look pretty ominous. The number of black teenagers will very quickly match what it was in the 1970's and will continue to rise. In fact, we will be seeing a 40 percent increase in the number of black teenagers over the next 15 years.

Now, I do not want to incite any questions about racial issues. Clearly, it is not race itself; it is all the conditions in which these kids are being raised—the violence to our neighborhoods, the disrupted homes. We will not have more kids in 10 or 15 years than we had, say, in the 1970's, but we will have more kids who are at risk.

Mr. DIIULIO. And if I may just add to that—well, if I am exaggerating, I know Professor Fox is not; let us put it that way—but in all seriousness, I must say that defining deviancy, or defining criminality with respect juvenile crime is real, because in many cases, people who are denying that this is so are the very same people who in the 1980's denied the crack cocaine and crime epidemic until it was too late for anything but essentially politically correct eulogies to the victims.

Now, these date are real; they are not going to go away. They say, well, only one-half of one percent of all juveniles commit serious crimes. You know, if you bring one person into a room of 200 people who is bent on trouble, you can get a lot of trouble. So there are all kinds of dodges, excuses, data-mongering and fiddling, but these numbers and the ethnographic reality behind them are real and cannot be wished away.

Senator COATS. We talked a lot about the lack of remorse or moral conscience. How prevalent is that among the offenders who go before the juvenile court system? How many kids are sitting there in the chair or during the arrest, throwing spitballs, obviously having been involved in a serious offense against another human being, and essentially have no conscience or remorse.

Is this the exception?

Father RIVERS. If I could, Mr. Chairman, a lot of the work that the Coalition of Churches that I work with does is with the antidrug unit of the Boston Police Department. And one of the things that we do periodically is to meet with the clergy to talk about what is happening in the field. When you talk with a number of the more seasoned investigators who have been around, one of the

things that they say immediately is that they are astounded at the indifference and the callousness of increasingly larger numbers of younger children.

So you are getting two things—one, you are struck by the scale of the violence, and second, you are also struck by the remorselessness of increasingly larger numbers of younger children.

So if you were to talk to the police in any major city and ask them what is new about crime, how is it different—and Professor DiIulio has reported some of this stuff in his findings where he interviews incarcerated inmates and asks them what is different between when you came in 20 years ago and kids now—this seems to be a fairly consistent observation that many of the folks that we are talking to, at least in Boston, get in the field.

Mr. DIIULIO. The only thing I would add to that—and Reverend Rivers' statement is exactly correct—is that—no one really knows; there are no datasets that give us a sense of how much remorseless, totally impulsive crime is going on with juveniles. There are certain unobtrusive measures, there are certain statistics that one can use, and there are the ethnographics. The fraction of kids who are the stone-cold, remorselessness, killed-and-smiled-about it is still a minority of all the juvenile criminals, the so-called "super-predator" phenomenon. Not every violent juvenile offender, I think, could be characterized as a "super-predator."

Having said that, however, what we are witnessing is that that sort of behavior defines the pool of juvenile offenders today far more than it did even 5 or 10 years ago, and that is what is being picked up at the street level.

Mr. FOX. Since you mention this whole issue of attitude, it is remarkable that we have been here for 2 hours, and the word "television" or "media" has not come up. It is probably the longest that I have been in a debate about juvenile crime that we have not mentioned the word "television"—but I will bring it up here.

Senator COATS. It is on my list. It is a little way down.

Mr. FOX. Well, I will bring it up here, because I think clearly, Congress and the White House have let the networks off far too easy. The V-chip is a terrible idea, and I could talk about it and talk about how the ratings is a terrible idea. It will only backfire. We started the voluntary code in the movies, and basically, producers started to infuse their movies with more gratuitous violence, sex, nudity and language in order to achieve a higher rating; an "R" rating was bonuses at the box office, and a "G" rating was the kiss of death.

Now we are going to see that with television shows. We are going to have the "V" ratings from one to 5, and we are going to pretend that parents will have remote control through this V-chip, and kids will decide what they want to see by the "V" ratings.

In fact, there was a study released just last month at the meeting of the American Psychological Association which was an experiment which showed teenagers little descriptions about movies and had them say how much they wanted to see these films. Half the movies randomly were given little warnings, viewer warnings, parental warnings that this still may be too violent for young viewers. Those were the ones they all wanted to see, of course.

So now you will say, well, parent, you have the control with the V-chip—you can just chip it out. But let us keep in mind that it is going to take 6 to 10 years for every television set in the United States to have one, and even the black and white that is in the bathroom will not have one. And how long will it take for parents to forget how to program their V-chips? These are the same people whose VCRs keep flashing "12." And how long will it take for Jimmy to figure out that he can go nextdoor to Billy's house because Billy's parents do not use their V-chip, so he can go over there and watch "Natural Born Killer" and not have to stay home and watch Bugs Bunny.

So we are constantly looking for quick fixes, easy technological devices, and we think this V-chip is going to be the solution. It is not. What is going to happen is the television industry is going to infuse its shows now with more violence because they will appeal to the V-chip and say, You don't want your kid to see "Friday the 13th, Part 62"—fine—just use your chip.

So it is not going to work. It is going to backfire. Television fare is going to get worse, not better, and something has to be done in that area.

Senator COATS. By the way, a little commercial plug here. I sat down with my staff because I have been involved with Senator Exon in this whole question of the cyberporn issue, particularly the stalking that takes place and the solicitation for illicit sex with minors and so forth, and I said, okay, give me a demonstration of how this works.

And he said, You know how incredibly easy this is.

I said, well, yes, but they are talking about a similar thing, V-chip, to block it.

And he said what you are going to have to do is pick out certain words. So you do not want anything saying "sex" on there, so you block that so your kids cannot type in "sex" and then have a menu come up which allows you to tap into everything that is there.

So he said, Let me just give you an example. Let us say you are interested in Boy Scouts, you want to do a research paper on Boy Scouts. So you type in the word "boy." The first thing that comes up under "boy" are a whole bunch of categories. The first category is "Art"—and off you go with a whole menu of "Boys and Girls," "Boys and Sex," "Young Boys and Older Men"—and on and on it goes.

So you just type in "Girl" or you type in "Fun"—there is no way parents can sit down and begin to determine the amount of words they are going to need to block out of the computer when people are sitting there, thinking let us put innocent words in and then tie it to the other.

The access to this is incredible, and as you say, it is our generation that does not know how to get into the computer, but it is the young generation that is going to run circles around us.

Mr. FOX. If you screen out the word "sex," what they will do is just spell "sex" backwards, and all the kids will know that that is how you find it.

Senator COATS. And we won't. Right. Anyway, I diverted there.

Let me ask you a question because this comes up in terms of our policy discussions regarding the laws relative to trying juvenile of-

fenders as adults. The question then comes as to how rigid the application of those laws ought to be.

The political process is such that we hear about tragic incidents like we heard from the Robies and others, and we say, okay, that is it, everybody who commits that crime, it does not matter what age—you go into that system.

You are suggesting some flexibility so that a determination can be made to put them in that system, but also can be made not to put them in that system. Should we build that flexibility in? Should we make it standard across the board? What are your thoughts about that?

Mr. HUMES. Well, that flexibility exists. We are now in the process nationally, State-by-State, of removing that flexibility. And there is the trend in adult court where we are not trusting judges to have any discretion, so we invest that power in the executive branch.

Senator COATS. Because as soon as one judge utilizes discretion in a way that we do not think there should have been discretion, then people say you have got to take away that discretion.

What is the consensus among the rest of the panel in that regard?

Mr. GURULE. I think the real question here is the knowledge that the judge needs to possess in order to make the decision.

Senator COATS. And that is all the background——

Mr. GURULE. That is a crucial problem. In fact, I remember speaking with a juvenile court judge in Los Angeles who said the juvenile court records were so poorly maintained that even judges in different judicial districts in the Los Angeles area were not aware of criminal offenses that juveniles had committed next door, so they do not have a complete record of the criminal history of the juveniles before them when they are making determinations regarding placement or having the juvenile certified as an adult, the records are so poorly kept. I think we need to do a much better job in terms of collecting the database so that the judge is in a much better position and is fully knowledgeable of the criminal history.

In addition to that—we certainly do not want to just simply focus on the criminal record, even though that is important—there are other considerations as well. We know what kinds of juveniles are committing these kinds of heinous crimes. There are other factors such as whether the juvenile has been neglected, whether the juvenile has been abused, whether the juvenile has a substance abuse or alcohol abuse problem. Where is that data? Very often, that is kept with other agencies, other disciplines, and it is not coordinated. We do not have these agencies communicating with one another.

In fact, if we want to know about some real troublesome kids, maybe we just need to go to the school and talk to the teacher, and I am sure that that teacher can tell the judge a great deal about the behavior of that child and whether or not he poses a serious threat. But there is very little communication and coordination between the various agencies that are involved.

Senator COATS. Mr. Regier?

Mr. REGIER. And part of the certification issue is that—I agree with Jimmy—that we need to look at each situation. The problem

is that I am finding kids in our system who, as happened a few weeks ago—a kid slugged his worker so he could be certified to the adult system, so he could be out in 6 months. In other words, he knew he was going to do up to 2 years of pretty difficult treatment processes in our system; he knew that if he went to the adult system, he would be out much quicker.

Now, in high-profile cases, that may not be the case, but my point is that certification sometimes is words and not action.

Mr. FOX. We have to keep in mind that not all murderers are alike. I think John DiIulio mentioned that earlier. They are not all super-predators. And it may be even be a homicide that they commit. There is a significant difference between a 14-year-old first offender who commits a homicide—perhaps he talked about it with his friends, and he felt like he said he was going to do it, and most of his friends dared him to do it, and he could not back down, and that is how kids thing. They may act like adults, they may look like adults, they may talk like adults, but they are immature, and very many juvenile murderers, even, are committing their crimes because of their immaturity, and they do not think the way 24-year-olds do, and many of them should not be treated like 24-year-olds.

That is not all. There is obviously the 16-year-old repeat violent juvenile offender, the true super-predator, who has demonstrated through his repeat recidivism that he is unreachable by the juvenile system.

We have to maintain a distinction between those two murderers, even though it is the same crime, and resist the blanket, automatic, try all juvenile murderers as adults statutes.

What is interesting is that the American public really does not understand how this works. In Massachusetts, for example, there was a bill that passed unanimously—the only other bill that passed unanimously in the Statehouse was a pay raise, and this is another one—trying all juvenile murderers as adults. And people were saying, oh, we do not want these kids to get out when they are 18 with slaps on the wrist, and even some prestigious law professors in the Boston area—there are many of them—were talking about the fact that for juvenile murder, kids are getting 3 years, and then they are out. What they did not realize was that we changed the juvenile law in Massachusetts about 5 years ago, and now, every juvenile who is in the juvenile system does not get tried as an adult. All those who stay in the juvenile system get between 15 and 20 years; they stay in the juvenile facility until they are 21, and they get transferred to an adult facility for the rest of their 15 to 20 years—minimum 15 years as a juvenile. And they also can be tried as adults by the discretion of the judge.

Let us keep discretion. We have seen in California where they have begun to decide that, yes, maybe we do need discretion built into the "three strikes, you are out" laws. We need discretion in the criminal justice system. It was built on discretion. There are lots of good people in it who know how to use that discretion. The problem is that—there is an old saying that "No news is good news"—it is really the reverse, that "Good news is no news, and bad news is big news." Every time the criminal justice system fails, there are big headlines. But every judge who makes the right decision, every

criminal who is still in prison, every juvenile who gets the sentence he deserves—we never hear about that. When the criminal justice system works well, we do not see headlines. It works well much of the time, perhaps most of the time. We have some wonderful judges who know how to make these decisions about which kids to waive to adult court and which kids not, and we have got to maintain that.

Unfortunately, many of our leaders in the executive and the legislative branches are using the whole issue of juvenile murder and the rising rates as their opportunity to placate a public that wants to try all these kids as adults. That would be the wrong move. Some of them, yes, but not all of them.

Senator COATS. Our time is rapidly running out. What I would like to do is give everybody an opportunity to make one last point. Tell me the most important thing that you want this committee to have on record, what you want us to remember. We have taken copious notes here, and we are recording this, and it will all be part of the record, including your statements, and obviously, everything that has been said here today is immensely important as we look at this issue. But if you could leave us with one last thought, what would it be?

Mr. Fox, we will give you the chance to start.

Mr. FOX. I will be brief because I have not been brief before. We have a relatively short window of opportunity. This demographic bulge is coming. If we wait 5, 10 years until the next crime wave hits, it will be too late to do much about it except to incarcerate. We have about 5 years to invest in these kids, to reinvest in these kids, and we had better act now, or else we will all be in trouble.

Senator COATS. Mr. Humes?

Mr. HUMES. I think it is amazing that this panel could be assembled, and no one is championing trying more children as adults in order to solve the problem, and I think that is very good. We are being very tough with juvenile offenders now, popular and conventional wisdom notwithstanding—and not just juvenile murderers; we are talking about robbers, burglars and other juvenile offenders whom we are trying in record numbers as adults. So we are actually dismantling this juvenile court system that we created 100 years ago.

I think it is very clear that there are dedicated people who work in that system, there are terrific judges. Very few of them want to be there, though. In Los Angeles, there are 28 juvenile delinquency courtrooms and only 8 judges willing to sit in them. They have to appoint referees and commissioners and other judicial temps, so to speak, to fill those courtrooms.

Until the attitude about the worth of the juvenile justice system is shifted, and we begin to see it as a useful place that can halt crime and turn kids around, I really think that this problem that is being forecast is not going to be addressed. If we can turn that attitude around, there really is a way to blunt that impact that we are going to see.

Senator COATS. Thank you.

Professor DiIulio?

Mr. DIIULIO. I would suggest two things. There are really two things that need to be separated out. One is the problem of re-

straining juveniles who murder, rape, rob, burglarize and deal deadly drugs. Those juveniles must be restrained. They are being restrained increasingly in many jurisdictions, although not all. We need to think of better ways of sorting the minnows and the sharks and keeping the minnows from becoming sharks by virtue of their very experience in the juvenile justice system.

But more fundamentally for me is that to accept the moral poverty thesis as it relates to juvenile crime is thereby, in my view, to accept the moral responsibility for doing whatever can be done to save the at-risk children who are most likely to become both criminals and crime victims.

I personally do not care very much, frankly, about the means used to do that. If people are willing, however, to go to the local communities, to put their shoulders to the wheel and, so far as I am concerned, to try, to experiment with faith-based solutions, I think that that is terrific. I do not see any way conceivable that we can address this problem without that.

Senator COATS. Thank you.

Reverend Rivers?

Father RIVERS. It is my hope that as we pursue these discussions, we will be increasingly open to the desperate need that exists in particular in the black community, given the data that Professor Fox and Professor DiIulio have made reference to as it pertains to the black community, encouraging and challenging the faith communities, in the most adversely affected communities, to do outreach and to mobilize.

I am not part of an effort, a national effort, with Professor DiIulio, to work over the next 6 years on mobilizing 1,000 churches in 40 cities in 10 of the poorest States, to work in the courts, in the streets, in the jails, in the prisons and in the neighborhoods—a full-court mobilization of churches to start doing outreach directed toward young parents, focusing on the 4- to 7-year-old cohort that will be the super-predators in 10 years.

It is my hope that in forums such as these, we will challenge the faith communities nationally to get involved, to provide the kind of moral vision which has to be the response to the moral poverty that so many of these young children are currently engulfed in.

Senator COATS. Thank you.

Professor Gurule?

Mr. GURULE. I would echo many of Professor DiIulio's remarks. I would add that there is a hardcore juvenile recidivist population, and we need to step up to the plate and admit that too much social work is going on relative to those individuals. They need to be certified as adults, prosecuted as adults, incarcerated, in order to protect society. That might be a hard pill for many of us to follow, but I think we need to step up and realize that fact.

At the same time, the larger juvenile population I believe is salvageable. We need to do a better job of intervening earlier, with a broad array of intermediate sanctions. As one juvenile court judge recently told me, they are starved for resources. There has been too much emphasis on the back end of the program, very little emphasis in terms of resources on the front end of the program. That is the problem now, and I think we need to realize that and emphasize that with resources—not necessarily programs—the answer is

not a program. I think the answer, again, lies in resources and new, bold, innovative strategies, and part of that strategy certainly does include a moral-religious element.

Senator COATS. Thank you.

Jerry?

Mr. REGIER. I would just say that we can no longer afford to eliminate from the Government arsenal the moral compass that the church can provide to kids across the country. We must create a full partnership because our very safety as a country, as people, and as a democracy depends on that, and I believe they can play a significant role in eliminating moral poverty.

Senator COATS. Well, again, I want to thank the panel for just extraordinary testimony and, more than that, for your individual participation in addressing what I think is one of society's most troubling problems and issues. It is our future, and it is an extraordinary challenge, and many refuse to pick up that challenge because of the difficulty of it, and I commend all of you for doing so.

For the record, I would like to include statements from Senator Ashcroft, who is a member of this panel and could not be with us today because of other duties, and Senator Dodd, the ranking member on this subcommittee, who has put in a great deal of time and effort. Their full statements will be included in the record.

[The prepared statements of Senators Ashcroft and Dodd follow:]

PREPARED STATEMENT OF SENATOR ASHCROFT

Thank you, Mr. Chairman. Last February, Antoyne Preston White, 17, was arrested in Washington along with several fellow members of a juvenile car theft ring. White pleaded guilty and was released several days later. In April, White was again arrested, this time for sexually assaulting a 4-year-old girl. He pleaded guilty a second time. Sentencing in this case was pending when White allegedly shot and killed Mun Hon Kim, a mailman eating lunch in his truck on June 11. In total, White has been arrested ten times in the last three years.

Antoyne White's history is typical of today's juvenile justice system. Teens with multiple arrests for felonies, sexual assaults, or violent crimes are returned to the streets and repeatedly taught—by the system—that they can evade punishment. In theory, our laws are protecting kids from the stigma of a permanent record, but in reality we are coddling stone-cold killers who hide behind their age.

Recently, the General Accounting Office issued a report identifying 131 federal programs—administered by 16 different departments and other agencies—which serve delinquent and at-risk youth. In fiscal year 1995, the estimated amount of federal appropriations used for at-risk and delinquent youth was more than $4 billion. America has an acute social illness that cannot be cured simply by spending money on government social programs.

Serious juvenile offenders today are coddled, not punished. Standards of right and wrong have been dismissed as "old fashioned." "Social justice" has replaced "simple justice." Law and order in our neighborhood communities have yielded to crime and disorder. Criminals have become the victim, and the victims of their violence are just another chalkmark on the pavement. Our criminal

justice system has been run by individuals with blurry-eyed notions of rehabilitation, reconciliation, and root causes, not justice, protection, security, and peace of mind.

Nowhere is our foundation of justice weaker than in our juvenile justice system. Today we are living with a juvenile justice system that was created around the time of the silent film. We are living with a juvenile justice system that reprimands the crime victim for being at the wrong place at the wrong time, and then turns around and hugs the juvenile terrorist, whispering ever so softly into his ear, "Don't worry, the State will cure you and look after you."

Juvenile crime in the early 20th century was characterized by rambunctious youth who may have been truant in school, or rebellious in their homes, and reckless in their free time. Juvenile crime today is something totally different. Today, juveniles kill their parents and teachers over disagreements, prey on strangers for fUn, and kill each other for the thrill of it. In short, we're living in the age of the space shuttle while providing Model-T era juvenile justice—which is really no justice at all.

And if we think that the juvenile predators out there don't know it, we're deluding ourselves. Between 1988 and 1992, juvenile arrests for violent crimes increased by nearly 50 percent—compared to less than 20 percent for adults. Specifically, during that five-year period, juvenile arrests for murder increased by 26 percent; for forcible rape by 41 percent, for robbery by 50 percent, and for aggravated assault by 49 percent. In 1992, juveniles accounted for one-tenth of the population age 12 and over, but committed nearly 1 in 4 violent crimes.

Last year, I introduced the "Violent and Hard-Core Juvenile Offender Reform Act of 1995" to try to ensure that we return to a foundation of justice. This legislation utilizes federal funds to States and local governments to encourage them to reform their juvenile justice systems. The bill identifies violent and hard-core criminals, encourages stiffer penalties in order to deter crime.

First, the bill would encourage states to seek-adult prosecution against juveniles, age 14 and older, who commit murder, attempted murder, forcible rape, serious drug offenses (as defined by federal law), or certain serious offenses while armed with a dangerous or deadly weapon, namely, robbery, assault, and battery. It also provides that juveniles, who have two prior felony adjudications, will face adult prosecution on their third, subsequent charge for a felony offense.

Second, the bill encourages states to create and maintain records on juveniles, age 14 and older, for offenses that if committed by an adult would be classified as a felony. And, those juveniles under age 14 adjudicated delinquent of any of the enumerated crimes I mentioned earlier will have their conviction recorded and made available to necessary parties. The bill would also encourage states to transmit juvenile criminal records to the Federal Bureau of Investigation for inclusion in the criminal identification database. That way, when young criminals and gangs travel from one state to another, their records will follow them.

Third, the juvenile criminal records of juveniles 14 and older adjudicated delinquent for conduct constituting a felony would be made available to adult criminal courts, law enforcement agencies,

and school officials. The public will have access to the records of those juveniles who are found guilty of two or more felonies.

By enacting these proposals we will send a clear, cogent, and convincing message to teen criminals: Serious acts have serious consequences and punishment will be certain, not an afterthought.

Serious, violent, and chronic juvenile offenders must be held responsible for their actions if we are to protect the rest of society, particularly other children who must coexist with these violent juveniles at school. Underage criminals must be tried and sentenced as adults and their records and fingerprints must be accessible to courts, schools, and state and local law enforcement officials.

For that small percentage of juveniles who have proven themselves to be chronic criminal predators, incarceration is the answer. But most of the kids that have a brush with the law, learn from it and go on to lead honest, successful lives. That can't be denied. These young citizens are served well by the system.

I also joined with Senator Dole and Senator Hatch in introducing legislation the day before Senator Dole left the Senate which includes many of the proposals I previously mentioned and it goes a necessary step farther. The Dole-Hatch-Ashcroft bill would also encourage states to allow religious institutions to get involved in the fight against juvenile violence by making states and local governments to ensure that religious organizations are eligible, on the same basis as any other private organization, to receive funds for rehabilitation and other support programs for juveniles.

There are children in the inner cities whose daily lives are a never ending regimen of abuse and torture. They grow up without love and without hope. There has to be a way out for these children. And there is. The answer is found in the churches and the people of faith who remain in those communities despite the dangers that they live with daily. While discussing the "root causes" of crime, maybe we should look a little more at the root causes of goodness. And support those people and those social institutions which contribute to goodness. If we give up on those institutions, we are also giving up on millions of children yet in diapers—millions of children who might be spared from cycles of violence and abuse and yet more violence.

I have also joined with Senator Coats and others in introducing legislation to help find these private institutions that serve the needs of the poor and charities by elevating tax deductions to such institutions into tax credits.

We must revive our charitable institutions instead of placing all our faith in government solutions. Too often in our society government dictates take the place of personal consciences.

I look forward to hearing from our witnesses on how we can reverse the moral poverty afflicting our nation and our children.

PREPARED STATEMENT OF SENATOR DODD

I want to first thank Senator Coats for convening this hearing on juvenile crime.

Let me also take a moment to acknowledge the presence of our distinguished witnesses. I would especially like to thank professor James Fox who agreed to be here on short notice. He is an expert

on the issue of juvenile crime and I know he will offer valuable insights on the importance of crime prevention.

Most of all though I want to say a few words about two of our panelists, Dale and Doreen Robie, who tragically lost their son Derrick, to juvenile violence.

My heart goes out to you. And I applaud your great courage in appearing here today to lend your voices—in the fight against youth violence.

As many of you know, I have been working on the issue of youth violence ever since I entered public life. As recently as 1994, when I chaired this subcommittee, we held a hearing on youth violence and prevention programs.

During that hearing, we heard about a number of effective prevention programs, including the star program in Bridgeport, which is an after-school program that gives kids constructive activities out of harm's way.

I know this hearing will build on this subcommittee's earlier efforts in this area.

I think we are all too familiar with the constant drumbeat of heinous stories on our televisions and in our newspapers about the scourge of youth violence.

While other crime statistics have shown consistent improvement over the past few years, youth violence continues to increase at an alarming rate.

From 1985 to 1994, the murder rate among teens, aged 14-17, increased by 172 percent.

And in 1994, 1 in 5 juvenile homicide victims were killed by other juveniles.

Every day in America, 15 children younger than 20 are killed by firearms.

What's more, homicide remains the no. 1 cause of death among blacks and latinos aged 15- to 24-years-old.

More disturbing, an increasing number of these kids are being murdered by friends and acquaintances.

These figures are a sober reminder that for a large segment of the population the menace of violent death remains a constant and unflagging threat.

These harrowing statistics call out for decisive and resolute action.

Obviously, stronger law enforcement is an important ingredient. And President Clinton has taken significant strides forward in cracking down on juvenile crime.

First, the President has proposed a national/gang tracking network and has worked to develop community policing efforts that target gang violence.

Second, the 1994 crime bill provided grants for boot camps and expanded drug courts that strive to turn young offenders away from crime before it's too late.

Third and most important, the President's 1994 crime bill has been an overwhelming success in taking deadly guns off of our nation's streets.

The Brady bill has prevented a total of 60,000 people, who are ineligible, from buying guns. The assault weapons ban has plunged by 18 percent the number of crimes traced to such weapons.

This issue of gun control is critically important if we hope to end the scourge of juvenile crime.

Since 1984, the number of juvenile homicides committed with a gun has quadrupled and in 1994 alone, 76% of male homicide victims, under the age of 18, were murdered by a firearm.

However, while greater enforcement and gun control measles are critical for controlling juvenile crime, so too is stronger crime prevention.

Let me be clear about this: prevention techniques are not about being soft on crime or lenient with criminals. They are about stopping crime before it starts.

When I talk to the police officers in my State, they speak of their appreciation to this Congress for providing them with more officers to strengthen the force, and additional prison space to lock away violent criminals.

But most of all, they say that prevention is a critical component to stopping crime before it starts.

These police officers aren't liberals or conservatives, but they are on the frontlines every day, and they want to give the kids in their communities some hope.

One effort that I think has been effective in this area is the safe and drug free schools act, which helps keep guns and drugs away from our kids. I hope that my colleagues will join with me to support full funding for this critical program.

Additionally, the character counts initiative, which I have long supported along with Senator Domenici, is playing a critical role in a nation's schools, in building a strong moral character among our nation's youth.

The fact is a child with a well-defined moral character is far less likely to turn to crime.

I will also be working with my colleagues on an initiative in the democratic families first agenda—the development of after-school safe havens. we need more safe havens for kids who go home to an empty house or apartment after school.

This effort would provide assistance to partnerships between State and local governments and community-based organizations. These efforts could include the expansion of such programs as boys and girls clubs and police athletic leagues.

Clearly, we need to ensure that the Federal Government is an effective partner in all aspects of crime prevention.

That's why I worked to develop the ounce of prevention program. This effort helps coordinate the efforts of all of the Federal agencies that are critical to fighting juvenile crime, justice, education, labor—all of the cabinet agencies and the office of national drug control policy.

The Ounce of Prevention Council has put together a catalogue of some of the best prevention techniques around the country. This will help communities develop strategies tailored to local needs.

In June, the Council awarded grants totaling $1.2 million to 9 communities. We need to expand this effort.

This is money well spent, because these programs work well and are cost-effective. Given the strain on federal resources, this point is critical.

Let me give you a few examples. A 1996 study by the Rand Corporation indicates that programs which give disadvantaged high school students incentives to graduate were extremely successful in reducing crime—arrests for participating students were 70 per cent lower than that of control students.

The study indicates that these programs would result in a reduction of 250 crimes for every million dollars invested.

Another Columbia University study found that boys and girls clubs were effective in reducing crime in public housing.

Crime in public housing projects with a boys and girls club was 13 percent lower than in projects without a club. Additionally, drug activity is 22 percent lower in-projects with a club.

Clearly, prevention programs can work. I urge my colleagues to work with me in support of these efforts so we can redouble our fight against youth violence.

Senator COATS. With that, the hearing is adjourned. Thank you.

[The appendix follows.]

APPENDIX

PREPARED STATEMENT OF JAMES ALAN FOX

Based on countless media reports in newspapers from coast to coast, it would surely seem that we have finally gotten a handle on the nation's crime problem. Just this month, the FBI released its preliminary crime statistics for 1995, revealing a continued drop in violent crime, including a 8% decline in homicide. Though recent trends are encouraging, at least superficially, there is little time to celebrate these successes. It is doubtful that today's improving crime picture will last for very long. This is the calm before the crime storm.

While many police officials can legitimately feel gratified about the arrested crime rate, there is more to the story. Hidden beneath the overall drop in homicide and other violent crimes is a soaring rate of mayhem among teenagers. There are actually two crime trends ongoing in America—one for the young and one for the mature, and they are moving in opposite directions. From 1990 to 1994, for example, the rate of homicide committed by adults, ages 25 and older, has declined 18% as the babyboomers matured well past their crime prime years. At the same time, however, the homicide rate among teenagers, ages 14-17 has increased 22%. Even more alarming is that over the past decade, the rate of teen homicide has more than doubled, increasing 172% from 1985 to 1994.

Therefore, while the overall U.S. homicide rate has fallen in recent years, the rate of juvenile homicide continues to surge. In the overall crime mix, the sharp decline in crime among the large adult population has eclipsed the soaring crime rate among the relatively small population of teens. In addition, trends in age-specific violent arrest rates for homicide, rape, robbery and aggravated assault combined support the patterns found in homicide statistics. Teenagers now exceed young adults in their absolute rate of arrest for violent crime overall.

The causes of the rise in youth violence since the mid-1980s reach, of course, well-beyond demographics. There have been tremendous changes in the social context of crime over the past decade, which explain why this generation of youth—the young and the ruthless—is more violent than others before it. Our youngsters have more dangerous drugs in their bodies, more deadly weapons in their hands and a seemingly more casual attitude about violence.

It is clear that too many teenagers in this country, particularly those in urban areas, are plagued with idleness and even hopelessness. A growing number of teens and preteens see few feasible or attractive alternatives to violence, drug use and gang membership. For them, the American Dream is a nightmare: There may be little to live for and to strive for, but plenty to die for and even to kill for.

The problem of kids with guns cannot be overstated in view of recent trends in gun-related killings among youth. Since the mid-1980s, the number of gun-homicides—particularly with handguns—perpetrated by juveniles has quadrupled, while the number of juvenile homicides involving all other weapons combined has remained virtually constant. Guns are far more lethal in several respects. A 14-year-old armed with a gun is far more menacing than a 44-year-old with a gun. Although teenagers may be untrained in using firearms, they are more willing to pull the trigger over seemingly trivial matters—a leather jacket, a pair of sneakers, or no reason at all—without fully considering the consequences.

While the negative socializing forces of drugs, guns, gangs and the media have become more threatening, the positive socializing forces of family, school, religion and neighborhood have grown relatively weak and ineffective. Increasingly, children are being raised in homes disrupted by divorce or economic stress; too many children emerge undersocialized and undersupervised.

At this juncture, as many as 57% of children in America do not have full-time parental supervision, either living with a single parent who works full-time or in a two-parent household with both parents working full-time. While some children do enjoy suitable, substitute supervision provided by friends and relatives or in day-care, far too many do not.

I do not mean to imply any special blame en the part of parents, and single mothers in particular. While some parents are terribly ill-prepared for the task of raising children, most parents are well-meaning and would like to have a greater role in their children's lives. However, many families lack the support to control and guide their children. Indeed, the recent spread of parental responsibility laws will do little, if anything, to solve the problem. We should assist parents, not assail them.

The problem of unsupervised youth does not end with the breakdown of the traditional family. Because of deep funding cuts in support programs for youth—from after-school care to recreation, from mentoring to education—as a society, we are missing the fleeting opportunity to compensate for the diminished role of the family.

As a consequence, children spend too little time engaged in structured activity with positive role models, and too much time "hanging out" or watching a few savage killings on television. Bored and idle, our children have just too much time on their hands, too much time to kill—perhaps literally. This concern is clearly reflected in the time-of-day patterns of juvenile violence. The prime-time for juvenile crime is during the after-school hours, from 3 pm to 7 pm, not after midnight when curfew laws might be contemplated.

As if the situation with youth violence was not bad enough already, future demographics are expected to make matters worse. As a result of the so-called "baby boomerang," there are now 39 million children in this country under the age of ten, more young children than at any time since the 1950s when the original baby-boomers were in grade school. This newest group of youngsters will soon reach their adolescence.

By the year 2005, the number of teens, ages 14-17, will swell by 17%, with an even larger increase among people of color—20% among black teens and 30% among Latino teens. Given the difficult conditions in which many of these youngsters grow up with inferior schools and violence-torn neighborhoods, many more teenagers will be at-risk in the years ahead. Sadly, the number of teenage offenders has grown in recent years, even as the population of teenagers has contracted. But the teen population has bottomed out and is now on the upswing.

Looking ahead, I see a glooming, although cloudy picture. Much about the future remains in doubt. No one can exactly say how just many police officers will be patrolling our streets in the year 2005. No one can say how many new prison beds we'll have nine years from now. We don't even know which political party will control Congress then. But we do know very well how many 15 and 16-year-olds we'll have in 2005—just about the same number of six- and seven-year olds we have today.

Even if current rates of offending remain unchanged, the number of teens who commit murder and other violent crimes shall likely increase, just because of the demographic turnaround in the population at-risk. Moreover, given the worsening conditions in which children are being raised, given the breakdown of all of our institutions as well as of our cultural norms, given the wholesale disinvestment in youth, our nation faces a future wave of teen violence that may eventually make 1996 look like the "good old days."

The hopeful news is that there is still time to stem the tide—to prevent the next wave of youth crime. But we must act now—by reinvesting in schools, recreation, job training, support for families, and mentoring. We must act now while this baby-boomerang generation is still young and impressionable, and will be impressed with what a teacher, a preacher, or some other authority figure has to say. If we wait until these children reach their teenage years and the next crime wave is upon us, it may be too late to do much about it.

Regrettably, we seem to be obsessed with quick and easy solutions that will not work, such as the wholesale transfer of juveniles to the jurisdiction of the adult court, boot camps, three strikes, the V-Chip. school uniforms, and curfews, at the expense of long-term and difficult solutions that will work, such as providing preteens with strong, positive role models, quality schools, and recreation programs.

Now please do not misunderstand me here. I am not opposed to punishment. However, we cannot deal effectively with teen violence through the threat of the criminal justice system. The treat of punishment, no matter how harsh, cannot deter kids who face the threat of violence and death everyday in their classrooms and their neighborhoods. As far as they are concerned, the Criminal Justice System can just take a number and wait in line with all the other enemies out to get them.

Often these are juveniles who care little about the future, who don't expect to live past their 21st birthday. The prospect of a long-term prison sentence or even the death penalty will not dissuade them in the least.

The fundamental limitation with the punishment approach is that it comes after most of the damage has already been done. It's like closing the barn door after the horse has left the barn. Indeed, it is far easier and considerably less expensive to build the child than to rebuild the teen.

[Additional material may be found in committee files.]

PREPARED STATEMENT OF EDWARD J. HUMES

Introduction: Two boys

At the outset, I should say that a very comprehensive study of first-time juvenile arrests in Los Angeles shows that 57 percent of first time juvenile offenders never come back. One arrest is enough for most. And this is true no matter what the court does, or even if it does nothing. These kids just seem to straighten out on their own.

But it is the other 43 percent we need to focus on, for when the court does nothing with them as they enter the system, disaster awaits, crime is encouraged, and children are lost. And if you sit in the courtrooms and watch as I did, you see that happen every day. Indeed, in Los Angeles, you can see that happen hourly, many times over.

I would like to tell you about two boys I wrote about in NO MATTER HOW LOUD I SHOUT. By coincidence, these young men ended up in the same juvenile courthouse on the same day before the same judge, each of them 16, each of them facing transfer to adult court. I believe these two cases illustrate the most egregious problems in our juvenile courts. They may also point the way to possible reforms.

Richard Perez's criminal career began at age 13 with a car theft, following years of misbehavior in school, truancy and incorrigibility. He was released within six hours of the car theft arrest, and was not summoned back to court for five months, at which time he failed to appear. When he was finally brought into court, he pleaded guilty to joy riding and received probation.

From the moment he settled his case, Richard busted curfew, smoked marijuana, continued running with his gang, and generally defied every condition of probation the court had set. No one noticed. His probation officer, as is typical in L.A., had nearly 200 kids to supervise, an impossible burden she attempted to handle primarily through monthly phone calls to her charges. Probation "supervision" is, in Los Angeles Juvenile Court and many other cities and counties in this nation, often no supervision at all. After Richard failed to show up at school for nearly a month, the probation officer finally drove to his address, which proved to be fictitious. No one had checked it out before his release.

Another stolen car arrest brought him back to court a month later. Again he went home on probation, this time to live in an unsecured group home for wayward boys conveniently located near his old gang turf. Three more arrests—two for assault and one for a violent strong-arm robbery in which Richard broke a woman's nose in order to steal her six-pack of beer—failed to interrupt his probation. He was released from custody after each arrest. He remained home on probation, awaiting trial for the robbery, under conditions of probation he had not obeyed in two years of court "supervision." Two months after the beer robbery, Richard walked into a Mexican restaurant and approached a seventeen-year-old boy who was sitting with a friend, munching on a burrito. Richard asked the boy what gang he was in. The boy answered truthfully: He said he was not in a gang. Richard must not have liked this response. He pulled a gun from his coat pocket and fatally shot the young man.

At his transfer hearing, Richard's lack of remorse and utter contempt for a system that had never held him accountable was obvious. He threw spitballs during the court session, he laughed at witnesses, he sat with his feet cocked Charlie Chaplain style, a blatant gang pose. The judge presiding at the hearing transferred him to adult court without compunction—as is typical in such cases—and he later received a 25-year-to-life sentence.

The next transfer hearing that day involved a boy named George Trevino. George had entered the system at age five, not as a victimizer, but as a victim of abuse. George was raised by the Juvenile Court, and a poor parent it was, shunting him from one foster home to another, entrusting him to drug-abusing guardians, allowing him to roam the streets and to join a gang—all while under the court's supervision. Minor crimes—repeatedly running away, a joy ride in a stolen car, a school yard fight, a burglary—brought no consequences for George. ("They never gave me a reason to straighten out—it was like they were daring me to do more crimes," George later told me.) Only after an adult criminal gave him the attention he craved and recruited him to participate in a failed armed robbery (in which only the adult ringleader was injured) did the system finally notice George. Too late.

This time, the judge was nearly in tears at the prospect of transferring him to adult court. She said his case was a travesty, that the court had performed abysmally, but that it would never be held accountable for its errors. She said she had no doubt he had the potential to reform and that the best thing for George and for society would be to keep him in the juvenile system and, for once, to do it right. But she said she could not do that. The laws governing transfer to adult court are now so tough, they do not distinguish a hapless George Trevino from a sociopathic Richard Perez. She ordered him to adult court, too.

While George awaited his trial as an adult, he lived in juvenile hall—his first stable home in years. I watched George advance three grade levels, get his high school diploma, earn praise as a tutor and peer counselor, and win a city-wide essay contest for high school students sponsored by the Los Angeles Times. Then he was convicted by jury trial and sent to a mandatory twelve years in adult prison.

Pay me now, or pay me later

What can we learn from these two cases? Certainly they show how tough the juvenile system can be. But I believe they also prove the dire consequences of ignoring so-called "minor" juvenile offenders. We have become so fixated on the most serious, violent kids that we are doing nothing with the entry-level small fry—until some of them become hard enough and dangerous enough to warrant incarceration or transfer. But by then, it's too late—too late for the juveniles, and too late for their victims.

The court should have acted decisively with detention, meaningful supervision and appropriate counseling and punishment early on in both cases. A week in the hall followed by a genuine, in-your-face probation when Richard first stole a car (or first started throwing chairs in class, for that matter) might have interrupted his downward spiral. Later, revocation of his probation could have landed him in a youth institution where, if not rehabilitated, he at least would have been restrained from committing murder. And a probation that involved actual supervision of juveniles might have detected George's problems, misbehavior and running away before he fell in with an adult criminal. If he could show his potential so thoroughly in L.A. Central Juvenile Hall—which I can assure you is no Club Med—think what could have been accomplished with him earlier in the process . . . and at what savings to taxpayers, now that we must spend more than $300,000 to incarcerate him for a dozen years.

The scary part of all this is that neither of these kids is particularly unusual. I observed that this pattern of free passes to minor offenders is an everyday occurrence in juvenile court. Virtually every kid who is transferred to adult court has been in the juvenile system for years without benefit or effect. Very few have experienced any meaningful sanctions or supervision while on probation. They know they can commit crimes with impunity. George Trevino once said to me that, though he knew he was responsible for his crimes, he nevertheless felt "set up"—as if the system had dared him to commit more crimes. Judge Roosevelt Dorn of the Los Angeles Juvenile Court makes a similar observation when he dresses down prosecutors and public defenders in court: that the system's refusal to take minor offenders seriously is "programming children for the cemetery or the penitentiary."

Another problem that the Perez-Trevino cases illustrate lies in the sweeping nature of laws governing transfer to adult court. In an increasing number of states, transfer hearings are being eliminated entirely, in favor of prosecutors directly filing adult cases against certain juveniles. (Interestingly, it was widespread outrage over this practice that led to the creation of a separate juvenile system a century ago.) There is a world of difference between a George and a Richard. I have no doubt that Richard is where he belongs. I am just as sure that George Trevino would be in college now rather than prison had he not been transferred to adult court. He has never hurt anyone in his life. He deserved a break, but the law could offer him none.

It is my observation that there is no problem getting kids like Richard Perez into adult court once they cross the line. Every state in the Union now allows sixteen year olds to be tried in adult court, and crime statistics clearly show that the overwhelming majority of violent juvenile crime is committed by kids sixteen and over. The system will not be fixed by continuing to focus on the worst of the worst. It can only be fixed by centering the debate on the first-time, minor offenders. Fourteen-year-olds who commit serious, violent felonies are certainly despicable and dangerous, and they must be dealt with decisively. But understand: They account for only a tiny fraction of the overall juvenile delinquent population. Yet they are the justification for the major pieces of juvenile reform enacted or under consideration in many states, and now being looked at on a federal level.

Contrast this with what many prosecutors and cops and probation officers I met on the front lines in juvenile court kept telling me: that we need to transform Juvenile Court into a crime prevention machine, instead of the incubator for criminals that it has often become. There are many opinions about how to accomplish this: Some proposals would put teeth back into status offense laws, going after truants and incorrigibles. Others want to identify at-risk kids earlier and voluntarily bring them and their families into prevention programs. An informal youth court stripped of the legal ritual that currently bogs down the system has been proposed. California has already made its juvenile system the toughest in the nation by keeping offenders under its control until age 25 instead of 18 or 21, and there has been talk of extending it further. I believe these kinds of ideas must lie at the center of any serious debate about how to attack the rising tide of juvenile crime, the one part of the crime picture that continues to worsen. We are very effectively taking care of the young predators we so fear—too effectively, perhaps, as the case of George

Trevino illustrates. Now is the time to focus on the other 90 percent ofjuvenile delinquents.

Juvenile justice is a pay me now or pay me later system. Right now, we are choosing the latter in far too many cases—ignoring kids who are ticking time bombs and waiting until they murder, rape and rob before the court takes significant action. This is not a liberal or conservative issue; this is an issue of public safety. As one detective on a juvenile murder case told me, a juvenile court that stops minor offenders in their tracks would save kids, cut crime, save crime victims, and save money by turning at least some of these kids around before they need long stays in our expensive prisons.

I also believe fixing this is as much a matter of attitude as it is money. You may have heard the oft-repeated phrase, children are society's most precious resource. You'd think, then, that juvenile court would attract the system's stars. Yet the courts we have created to save our children lie at the lowest rung of our justice system, far less prestigious for judges and lawyers than forums reserved for contract disputes and whiplash claims. Most judges consider juvenile court a punishment. Often, only the least experienced prosecutors and defenders walk its halls. Caseloads are enormous, burn-out is epidemic, frustration rampant. There are heroes in the system, the dedicated few who go the extra mile and turn kids around, but they are often drowned out by leaders on a state and national level—most of whom have never set foot inside a juvenile court—who maintain a constant barrage of attacks on the system.

But consider this: Juvenile Courts exists in every city and county in America. Today, at this moment, they are going about their business of identifying individuals at the earliest stage of their criminal careers, before the damage mounts, before they are hardened—before they grow up. But then the system does little more than wait.

Change that, and you'll truly have declared war on crime.

Flaws that stand out: Making the system smarter

How can that be done? Some flaws in the system with widespread impact become painfully obvious if you sit in the courtrooms, watching the ebb and flow.

1. It doesn't take a year of watching the system to figure out that the court's inability to deal effectively with first-time offenders is due in large part to ineffective probation. Caseloads of 150 to 200 kids are not workable. In the Sixties, when juvenile crime was far less serious in number and severity, probation officers in L.A. had as few as 15 juveniles to supervise. The Council on Crime in American, chaired by William Bennett, recently reported that, as a nation, we spend an average of $200 per probationer per year (versus $25,000 per prison inmate, over $30,000 a year in some juvenile institutions). We are getting in many cases what we are paying for: Nothing. If we are going to place young people on probation, we ought to provide credible supervision. The kids know they are not being watched. They feel emboldened and encouraged by meaningless conditions of probation no one attempts to enforce. Consider the hapless parent who idly threatens punishment to a misbehaving child, then does nothing when the misbehavior is repeated, and you begin to understand why juvenile court is failing.

Short of hiring an army of new probation officers, one solution long considered though never undertaken is to decentralize probation. Instead of having probation officers tucked away in remote offices far from the courts and the kids, it has been proposed for years that the department station juvenile probation officers in the schools, where they can see their charges every day, monitor their behavior and attendance, and generally exercise meaningful control of kids in desperate need of supervision. Such a system could actually lead to a cost savings by eliminating the need for separate office buildings for probation officers. Lack of communication between school systems and the juvenile justice system—long a source of frustration and friction—would be replaced by cooperation and an improved ability to deal with truancy, the number one risk factor for delinquency.

2. For a variety of legal reasons, the Juvenile Court has become a mirror image of adult court—emphasizing legal ritual above all else. Juvenile Court should work like a legal emergency room, quickly intervening in the lives of kids committing crimes. Instead, it lumbers along like the old Soviet economy. Five months can pass between arrest and trial, an eternity for a kid in a downward spiral. Confessions must be litigated, suppression hearings held. Crimes must be proven beyond a reasonable doubt (an adult criminal court standard that seems oddly out of place in juvenile court, which is, after all, a civil arena, where adult-style sanctions are unavailable). Only after all the legalities are attended to is the essential question asked: What do we do with this kid? And if there is no conviction, nothing is done,

even in cases where a young person before the court is clearly in desperate need of services, counseling or detention.

Contrast this to the handling of child abuse cases. When abuse by parents is suspected, a child can be immediately removed from the home. Then the case is litigated and a determination is made as to whether or not abuse can be proved. Why should the standard be any different in delinquency court? Why does the court not act immediately to counsel, supervise or restrain a suspected delinquent prior to litigation of the case? All too often I observed kids commit several additional crimes while awaiting trial on a first-offense. Had the court taken immediate and resolute action at the outset, this could have been avoided. The focus of juvenile court should be the child, not the crime.

3. Another common occurrence I observed is the use of technical defenses to free young people from the court's supervision. Graffiti cases are a prime example. A child can be caught red-handed by police spray painting gang slogans and obscenities of the wall of a house. For the case to be sustained, the P.A. must bring in the homeowner to testify that he did not give the vandal permission to deface his home—patently obvious, absurd testimony that is nevertheless essential under California law. In neighborhoods troubled by gangs, some homeowners are reluctant to testify. The result: Case dismissed, the kid walks out laughing at the impotence of the system.

Car theft cases are another example: The owner of a stolen car must come in to testify that he did not give permission to the juvenile to hack his dashboard to pieces and hot-wire his ignition. Every week, I watched these crime victims trudge to court, missing work and waiting all day, only to be told their case had been continued and that they would have to come back again. Witnesses and crime victims are treated shabbily in Juvenile Court, where confidentiality rules keep them in the dark, and where crowded court dockets and courtroom strategy make repeated delays inevitable. Many witnesses—even police officers subpoenaed to testify—simply stop coming after one or two such futile days spent waiting. I saw hundreds of car theft and graffiti cases dismissed in this way. I saw one young man charged with shooting a police officer walk out the door because a key witness didn't show up after repeated continuances. Three weeks later, that young man murdered a seventeen-year-old boy in a drive-by shooting.

Defense lawyers in juvenile court say they are ethically and legally obliged to pursue such dismissals (rather than stipulate to the fact that their clients had no permission to deface property or steal cars). They do this even when walking a kid out the door may be the worst possible outcome for everyone. By the same token, prosecutors feel compelled to respond in kind, pursuing the harshest possible sanctions, even when that may not be the best outcome. Attorneys on both sides of this adversarial process say they feel frustrated when their legal obligations get in the way of helping children. Some suggested thought be given to redefining the duties of counsel in Juvenile Court. Others believed that a loosening of legal burdens of proof and elements of certain offenses might be appropriate for juvenile court.

4. Finally, it became clear to me as I sat in Juvenile Court that this was the unwanted stepchild of the justice system. It is often said that children are society's most precious resource, but this broken down system we've created to deal with them gets the least resources, the least experienced prosecutors, the most overworked probation officers. The Juvenile Court building in Inglewood was condemned as an adult Municipal Court before being passed on to the juvenile system like a gnawed bone. Central Juvenile Hall is still waiting for repairs from the 1994 earthquake, though other damaged county facilities were long ago repaired. There are heroes who labor against all odds to save kids despite the system's failings—and their extraordinary efforts pay off. I have seen it. I have seen kids turned around, their lives changed, when a one of these extraordinary people get involved. But for many others working in the system, juvenile court is more stigma than inspiration. Many of the lawyers and judges consider it a punishment. This should be a place where the stars of our judiciary want to work. Instead, only a handful want to be there. Forums in which whiplash claims and contract disputes are resolved are considered a higher calling. As long as that attitude remains pervasive—in and out of the juvenile court—fixes for the system may well remain elusive.

There are 28 delinquency courtrooms in Los Angeles. As of today, there are only eight judges willing to fill them.

PREPARED STATEMENT OF JIMMY GURULE

Mr. Chairman and Members of the Subcommittee: It is a privilege to testify before this Subcommittee on an issue of utmost concern to this nation. Clearly, the single most important criminal justice issue facing this country today is the escalating

problem of juvenile violent crime and gang-related violence. While the rate of violent crime committed by adult offenders has seen a steady decline over the last few years,[1] the incidents of juvenile crime and gang activity have become increasingly more violent. While juveniles may not be responsible for most violent crime, the growing level of violence by juvenile offenders does not bode well for the future.

A recent report published by the Office of Juvenile Justice and Delinquency Prevention estimates that if violent juvenile crime increases in the future as it has for the past 10 years, by the year 2010 the number of juvenile arrests for a violent crime will more than double and the number of juvenile arrests for murder will increase by nearly 150%. See Juvenile Offenders and Victims: A Focus on violence, U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (May 1995), at 7. In addition, gang-related drive-by shootings and other violent crimes have dramatically increased with juvenile violent crime arrests up 47% in the past five years.

At the same time, this disturbing phenomenon is not confined to large metropolitan areas, but extends to smaller cities, towns, and rural communities. For example, in Salt Lake City, Utah at a recent meeting of the Salt Lake Area Gang Project, it was disclosed that there have been more than 90 drive-by shootings so far this year, compared to 60 in this same time period last year. Additionally, gang-related violent crime generally increased in 1995 by 23% from the year before. A fatal drive-by shooting of a Seventeen year old youth this past Fourth of July underscores the seriousness of gang problem in Utah.

Members of the Salt Lake gang task force further noted that females are taking a more active role in gangs, and gang members are recruiting kids at younger ages than ever before. By the time kids reach the fourth grade, many of them have been invited to join gangs. Finally, and most disturbing of all, the types of crimes being committed by juvenile offenders have never been more brutal and violent. In short, graffiti has given way to drive-by shootings, murder, and other violent crimes.

The problem of gang-related violence has taken on an "intergenerational" dimension. Many kids who join gangs at a young age have older siblings or even parents who are involved in gangs. Thus, the values of moral poverty embraced by gang members are being passed on by parents to their children, who in turn pass on these values to their children, and so on. The "intergenerational" dimension and complexity of the gang problem was graphically illustrated to me by a juvenile court judge who presides in Salt Lake City, Utah. The judge described a juvenile court proceeding where a Sixteen-year-old youth appeared before him accompanied by his father. The sixteen-year old boy was bound to a wheelchair, a paraplegic, having been paralyzed from the waist down in a gang-related shooting. The judge was quite familiar with the youth, who had appeared before the court on numerous prior occasions. In fact, the juvenile court judge was familiar with the entire family. He had placed the sixteen-year old boy's fourteen-year-old brother in a juvenile workcamp, where he had recently escaped and remained a fugitive. Furthermore, the judge recognized the father, having represented him on criminal charges several years earlier, when he worked in the Public Defender's Office prior to being appointed to the bench. Lastly, the juvenile offender was accompanied by his thirteen-year-old sister who was six months pregnant.

The judge expressed his frustration with the enormity of the problem, stating that he had recently learned that the thirteen year-old girl had given birth and the newborn child had been detected with traces of cocaine in her bloodstream. As the result, both the thirteen year old girl and the infant had been removed from their home and placed in foster care. The judge somberly remarked that the above-described juvenile case scenario had become all too commonplace in his courtroom.

The scope, nature, and complexity of the violent juvenile crime problem in America defies easily resolution. There is no easy answer. No quick fix. No federal government program can solve the problem. Instead, what is needed is a bold, innovative, long-term strategy to confront the problem of moral poverty in America and the attendant juvenile violent crime it breeds. This strategy requires two fundamental components: (1) incarceration of repeat, violent juvenile offenders and (2) early intervention and prevention efforts directed at the larger, nonviolent juvenile population. Additionally, for any prevention strategy to be successful it must be comprehensive in nature and involve the interdisciplinary coordination of governmental resources at the federal, state, and local level, as well as the private sector.

Finally, I fully agree with Professor John J. DiIulio, Jr., Director of the Brookings Institution's Center for Public Management, that we must be willing to use public funds to empower local religious institutions so that they play a more central role

[1]The FBI Uniform Crime Report recently reported that in 1995 homicides decreased by 8%, overall violent crime decreased by 4%, and violent crime in large cities was down by 6%.

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in confronting the problem of juvenile violent crime, by administering more and more crime and drug prevention programs. After all, we are facing a crisis of "moral poverty."What better institution to lead the charge against this moral crisis than the local churches?

Numerous studies support the conclusion that a small but growing number of juvenile offenders are responsible for the commission of a large percentage of the incidents of violent crime. While young in age, these juveniles are nonetheless hardened criminals with a long history of arrests for serious, violent crimes. The research confirms that these individuals are often themselves abused and neglected children. They come from dysfunctional families and are often raised in single parent homes without a father. Quite often alcohol and substance abuse plays a significant role in their criminal behavior. These juveniles turn to the gang as the primary family, seeking respect and sense of belonging that they are unable to find at home. At the same time, many of these juvenile offenders have little or no respect for the value of life. They are often heavily armed and will shoot you over a pair of sneakers or a "disrespecting" look or comment, and show no remorse. Thus, these juveniles have been referred to as "Super-predators."

As I was recently told by Salt Lake City Police Chief, Ruben B. Ortega, a thirty-six year veteran of law enforcement: "Many of these kids know that they are not going to live long and thus do not fear death." A juvenile that has no fear of dying, likewise, has no fear of law enforcement, and certainly will not be deterred by the courts. For these hardcore, violent juvenile offenders more social work is not the answer. These juveniles pose a serious risk and danger to society and must be incarcerated.

In order to protect society from these violent predators more resources need to be invested in the juvenile justice system. As one juvenile court judge stated: "We are starved for resources." What is needed are more juvenile court judges, probation officers, and juvenile detention centers. Juvenile court judges should not have to stop and count bed space before deciding whether to place a violent juvenile offender in a detention center. Put another way, violent juveniles should not be returned to the community for lack of resources and available bed space in a secured detention facility.

At the same time, as a nation, we are not going to arrest and detain ourselves out of this crisis. Early intervention and prevention is essential. The juvenile courts must intervene earlier in order to steer juveniles away from a career of crime. As Assistant Attorney General, United States Department of Justice, Office of Justice Programs (OJP) (1990-92), gang-related crime was identified as a top priority for program funding within the five OJP offices (Bureau of Justice Assistance, National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, Office for the Victims of Crime and Bureau of Justice Statistics). In 1991-1992, OJP held a national gang field study to learn more about the problem and what programs and strategies have proven most effective in combatting gang-related crime. Public hearings were held in Los Angeles, Dallas, and Chicago, where dozens of experts on the subject of juvenile violent crime were invited to testify and share their knowledge and expertise. On one occasion, I spoke with the director of what was considered to be a model juvenile detention center. After touring the facility, I asked the director to describe the typical criminal profile of the juvenile offenders that had been ordered placed in detention center. He stated that on the average the juveniles had been arrested for the commission of 20 to 30 criminal offenses, the majority of which, if committed by an adult, would have constituted felonies. In addition, many of the arrests were for serious, violent crimes.

A juvenile justice system that fails to intervene with a strong hand and place a juvenile offender in a secured detention facility until he is arrested for the commission of 20 or 30 serious, felony offenses is broken and in need of major reform. It is imperative that the juvenile justice system communicate to the juvenile offender that "actions carry consequences." Furthermore, it must be understood that criminal actions Carry serious, negative consequences. A "revolving door" system of juvenile justice sends exactly the opposite message, and, in fact, encourages deviant behavior.

This is not to say that every criminal offense justifies incarceration. No reasonable minded person would subscribe to that view. At the same time, juvenile court judges need to have available for consideration a wide array of graduated sanctions. If the court is able to intervene early enough with the appropriate resources and graduated sanctions, juvenile crime can hopefully be deterred.

Finally, a better job most be done in identifying high-risk children, those most likely to become repeat offenders or career criminals. All experts agree that the earlier you intervene, the greater the chances of changing negative and destructive behavior patterns. This will require close coordination and communication between the

schools, churches, juvenile courts, law enforcement, social service and health agencies. Once identified, these governmental departments and institutions must respond to the needs of the juvenile in a coordinated and comprehensive manner. Unfortunately, more often than not, these agencies fail to communicate with each other, and coordination of services, often due to bureaucratic red tape, is nonexistent.

While the problem of escalating juvenile violent crime and its reflection as an indicator of "America's Moral Poverty" is critical, it is not hopeless. The problem can be abated, but only if bold and decisive action is taken on a national scale. want to commend the Chairman of the Subcommittee for holding this important hearing. I would be pleased to answer any questions at this time.

PREPARED STATEMENT OF JERRY REGIER

Senator Coats, distinguished members of the Panel. I am honored by your invitation to appear at this hearing today to represent the role of government in this discussion on "Juvenile Crime: An Alarming Indicator of America's Moral Poverty."

Just as a brief background, I have been involved in public policy and programs addressed toward children, youth and families for the past fifteen (15) years. As the Founder and First President of the Family Research Council, I worked in concert with public and private officials including legislative leaders in both parties on public policy issues, one of which was to raise the personal exemption for each member of a family from $1,000 to $2,000. This was an example of a significant public policy change which signaled a renewed responsiveness to the family by government.

More recently, I was the Administrator of the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) in the Department of Justice. Since that time I have moved back to my home State of Oklahoma to serve as Director of the Department of Juvenile Justice and Deputy Director of the Office of Juvenile Affairs in which the Department resides.

THE EPIDEMIC OF JUVENILE CRIME AND ITS CAUSES

In these years of service in the public policy arena, I have had the opportunity to view and be a part of government in its role of attempting to be responsive to family issues and specifically juvenile crime.

It has become painfully apparent that juvenile crime has reached epidemic proportions, but the cause of the epidemic has been less apparent to policy makers. Discussion and agreement on the cause of this epidemic of juvenile crime must be the first step in crafting solutions that work. If we diagnose the problem incorrectly, our solutions will waste time and money and we as a society will be overwhelmed . . . particularly in light of new predictions of even greater juvenile crime in the future due to the increasing numbers of children under ten years of age in the U.S. today who will become the teenagers of the next ten to fifteen years.

The State of Oklahoma is no exception. We are seeing this same epidemic. Our state juvenile crime has soared over the last ten years.

The number of juveniles arrested in Oklahoma climbed from 21,307 in 1985 to 29,551 in 1995, with increases in most crime categories. Adult arrests for the same period dropped 6 percent.

Drug sales and possession arrests among juveniles reflected some of the greatest increases, climbing 82 percent in the past three years and by 174 percent since 1985.

Youths are being arrested in greater numbers for almost all violent crimes: From 1985 to 1995, robbery arrests tripled and felony assault arrests doubled.

Arrests of children statewide for weapons-related violations have gone from 210 in 1985 to 510 in 1995.

Burglary and vandalism arrests dropped slightly but youth arrests for buying, selling or receiving stolen property shot from 390 in 1985 to 807 in 1995.

What are the causes of this rising epidemic of juvenile violence? I would like to present my view of these causes and will start by submitting that a Wall of Protection which previously protected youth and prevented involvement in juvenile violence has now deteriorated. Bricks in this wall have progressively eroded causing it now to officially crumble. When I grew up, the necessary "bricks" were still available to assist me through my teen years and help me become a productive citizen; however, what was for me a sturdy Wall of Protection has now broken down for an increasing number of youth, both suburban and urban. The "bricks" in the Wall that have eroded are:

1. The Family Unit.—Homes without fathers has structurally weakened the family unit. The National Fatherhood Initiative in its publication states:

> Children who were part of the "post-war generation" could expect to grow up with two biological parents who were married to each other. Eighty percent did. Today, only about 50 percent of children will spend their entire childhood in an intact family." It also states, "The relationship [between family structure and crime] is so strong that controlling for family configuration erases the relationship between race and crime and between low income and crime. This conclusion shows up time and again in the literature.

This breakdown of the family, evidenced specifically by the absence of the father, is a direct cause of the rise in juvenile violence and crime.

Last week, I was watching the Major League Baseball All-Star game. At the end of the game the MVP, Mike Piazza was asked about his feelings One of the first things he said was "without my father I would not even be here." His father was attending the game, sitting in the same seat in Philadelphia Veterans Stadium where he used to bring his son as a youngster. A very poignant moment for TV—hopefully the real meaning will not be lost.

This is a story repeated over and over. The role of the father in the life of a child is critical and almost irreplaceable, and one of the great tragedies of the last three (3) decades is the number of children growing up without the strong influence of a father in their lives. Without this influence and guidance, many kids will follow the path of least resistance which is crime and delinquency.

When dads are absent, they leave moms with the toughest job in America, which is being a single working parent. This is one reason why non-custodial parents must be forced to uphold their monetary responsibilities to their children. However, America's youth need more than deadbeat dads paying money, they need dads who will become real men and pay their emotional, moral and disciplinary child support payments. Being a male is a matter of birth, but being a real man is a matter of choosing to be responsible and accountable. America needs more real men.

2. Moral.—The absence of moral character in the lives of many delinquent youth is a direct result of the first cause, which is absent parents. Moral values are learned in the home. They are learned through the example of parents—mothers and fathers. When there is no guidance or when the outside influences overwhelm the influence of the home, then young people are left adrift, without a moral compass and with literally no understanding of right and wrong. John Dilulio has articulated this so well in his writing when he states "they place zero value on the lives of their victims." Zero. It is hard for the rest of us to really fathom the moral poverty and deprivation of this new breed of "super-predators" which is led by a total absence of conscience. It is frightening. Who will teach this generation right from wrong? It's a haunting question screaming for an answer.

3. Consequences and Accountability.—Another cause of the epidemic of juvenile crime is our failure to develop consequences and demand that juveniles be personally accountable for their actions. We've heard that the juvenile justice system is getting tougher on serious violent offenders and we are. The national trend to lower adult certification ages for serious violent crime is spreading, but what about the first time non-violent offender?

In Oklahoma, it is a systemic problem juvenile offenders receive few, if any front end consequences. They eventually arrive at our secure institutions with an average of seven felony offenses, and this does not count the numerous offenses where they were not caught. Moreover, most offenders are given probation without structure or consequences. Judges tell me that many early offenders crumple up their probation orders on their way out of the courtroom door. The consequences for actions just does not happen early enough. We must teach the juvenile offenders that any unlawful act, even the first one, will not be tolerated and will be met with serious consequences.

Consequences and accountability needs to run on a parent track also. Parents should be the biggest help in getting kids on the right road and not a hindrance. However, many times, parents contribute to the delinquency of their juvenile as much as the juvenile. In Oklahoma, we have begun a Parental Responsibility Project in order to require parents to pay maintenance costs when their child is placed in the custody of the State. This will begin to hold these parents accountable for their kids' delinquency. We are tired of being asked by parents to "come get my son or daughter—of parents trying to shift their responsibility to the State—because the State makes a very poor parent.

4. Education and Especially Literacy.—I am not an education expert and do not claim to have all the facts; but as an independent observer and father of four children and with an understanding of the education level of kids in our juvenile system . . . something is drastically wrong! Kids get kicked out of school for disruptive or illegal behavior, but then they get kicked out of Alternative Schools for

the same things! Alternative School Expulsion? Excuse me? The punishment for acting up in Alternative School should be more school, not less. Without an education, and specifically, the ability to read, these kids are on a superhighway to juvenile detention and eventually adult prison. We can stop this. Teach them to read!

Public schooling is not working for our delinquents. Most of the kids in our custody are well behind their grade level in reading and writing skills. We must ask ourselves, "Is the failure of our public schools contributing to the delinquency of our minors?" In the marketplace, Companies which do not produce consistently good products are easily replaced by competitors. Yet, our public schools are insulated from such competition. They need more accountability for the product they produce.

Don't misunderstand me. My children are a product of public schools and have done quite well. But for many kids there is a serious breakdown. Innovative ways to restructure our public school systems are out there; they must be unleashed. While I was with OJJDP we were able to assist with some innovative approaches in Chicago. I think we are all familiar with the job that Marva Collins is doing on the south side of Chicago. Her comment was right on target when she said, "We must once again make schools miniature societies which teach students how to function in the real world. Violence will die unborn in our schools when we as parents and educators once again relight the flickering candle excellence in American education."

I recently watched the old 1930's movie, "Goodbye, Mr. Chips" in which the Headmaster advises young Mr. Chipping that the job of a teacher is to mold men and to exercise authority. Sixty-three (63) years later "Mr. Chips" had influenced thousands of young men to live disciplined, moral lives. We must send out a clarion call for more "Mr. Chips" and more Marva Collins'.

5. Vocational Skills Preparation.—Young people need to have a means of getting ahead to go hand in hand with a hope for getting ahead. They will use illegal means if they are not taught a legal means. When a juvenile has no opportunity to develop meaningful job skills and there is no hope of legally earning money to get ahead in life, he naturally turns to illegal means.

It is certainly the responsibility of parents to teach their children the value of hard work, but it is a shared responsibility with educators and the community to help them learn job skills. When we apprentice a young delinquent to an adult employer and provide support by means of a mentor to make sure he is out of bed and on the job, we see results. It is not magic. It is hard work on the part of adults. And if we work individually with kids and care enough about them to teach them a skill and insist they toe the line necessary for success in the world, . . . they can and will succeed.

ATTEMPTS BY THE SYSTEM TO CORRECT JUVENILE OFFENDERS

Finding potential solutions tends to go in cycles or through "fads." Actually, a variety of approaches can and have worked; but many work only with certain persons or with certain staff. It is very difficult to then transfer these individual skills to the general population. This is one reason why community innovation is so important in order to craft solutions that work for them and use their resources. Areas that have not been very successful include:

1. Therapeutic Approach.—We have juveniles in our system who are better at psychological analysis and diagnosis than the psychologists themselves. They have been "grouped" or analyzed to death and know all the right answers about anger, parents, repression, ad infinitum . . . but their inner attitude and their outer behavior never changes! They "work the program" so they can get out and get on with their criminal ways. Treatment has its place; we utilize therapeutic approaches in Oklahoma; but this approach must include, and not replace, accountability, consequences, learning discipline, work ethic, and a skill. otherwise it is not "real world."

One of the main problems with treatment not working is the conditions that these kids must go back to. Without positive role models in their families to reinforce what they have learned in treatment and without alternatives to the reality of crime and gangs, how can we expect the benefits of treatment to be realized?

2. Large Group Approach.—Large training schools were used in the 60's and 70's, and in some states are still used. This type of warehousing reinforces negative behavior at the very age (10-16) when peer acceptance is at its zenith. At the exact time in their lives when youth crave "leaders" and "models," they are grouped with others who exhibit the same negative behavior. I do understand that placing juveniles in these conditions is necessitated by the current epidemic and the lack of alternatives available to us. And again, some large programs can work when peer leaders and models are developed to influence the others.

On the other hand, as I thought about programs that work, there seem to be key elements that are recurring themes in these programs that have been successful. The following are principles that I have seen work during my government experience, and ones that I believe we should build on.

1. Personal Relationships.—Programs that involve people becoming active in the lives of these kids show the most success. These children live in a vacuum of positive attention and crave attention; they also crave leadership and guidance. Now, don't misunderstand me. I said they crave it. I did not say they will ask for it. Teenagers will not tell you they want love, attention, or guidance. In fact, they will usually resist our attempts. But this is just to test us and see if we care enough to love them and discipline them even when they are disruptive and delinquent. Programs that work have people who are willing to get into the unpleasant but extremely rewarding business of building personal relationships. It's hard work and teens seldom reciprocate, but these same teens will thank you later.

There are many programs that practice this principle; all of us can give examples. One such program in Oklahoma is the National Guard's Youth Challenge. The National Guard sets up a 22-week residential program that teaches kids discipline, teamwork, and self-control. The program also focuses on education and other life skills. However, the key component of Youth Challenge related to this principle does not occur during the residential phase of the program; the key component is the volunteer mentors who make a one-year commitment to guide and support the teen once they graduate from the Academy. The emphasis is on building a personal adult teen relationship, and Oklahoma's partnership with the National Guard at Thunderbird Academy is a very successful "front end" program.

2. A Spiritual Component.—Programs that work very often have a strong spiritual component or staff who exude personal spiritual commitment. I remember years ago talking to my good friend Bob Woodson of the National Center for Neighborhood Enterprise. He probably knows more about what is going on in America at the grassroots level than any person in the Country, and he told me it dawned on him one day that the programs that were really working all had a strong spiritual element at their center.

I recently asked our staff to brief me on an Oklahoma City program that was working; I wanted to have participants at a hearing at the State Capitol. I was introduced to a former Oklahoma football star, Jimmie Rodgers, who is seeing great success in turning some very tough kids around. It came as no great surprise when Mr. Rodgers talked about a spiritual turn around in his own life which motivated him to a deeply personal involvement with these troubled youth.

In the same way, a number of years ago I heard about a program in Cleveland, Ohio that was turning young juvenile delinquents into responsible fathers. Wow! I had to see this. So I was introduced to Charles Ballard and his Responsible Fatherhood Project. Charles unashamedly was introducing these young men to a spiritual commitment, and then helping them take responsibility for their actions, including marrying the mother of their child.

These and many other examples are working, and we plan to encourage these kinds of partnerships in Oklahoma. Our Governor has, in fact, already met with a large number of pastors to ask for their involvement.

3. Community Involvement.—The Fresno Leadership Foundation has developed a community taskforce called "City Builders." CityBuilders rebuilds communities by starting with one young person; one family, one block, one neighborhood, and then moving on to the next and the next. It is the collaboration of many organizations that share the singular focus of rebuilding our communities. Networks of volunteers from churches, businesses, and service clubs are joining residents to rid neighborhoods of fear and to restore a sense of safety and community. By mobilizing resources, CityBuilders' programs and projects are renewing individual and collective visions of hope. Mentoring programs are rebuilding the lives of youth and their families, establishing healthy patterns of behavior and attitudes. Neighborhood partnerships are establishing relationships that are enabling residents to take responsibility for their communities.

The National Crime Prevention Council and other organizations are seeing similar results. These examples show community involvement that works and it works because of empowering people to work in partnership with government. Not just public-private partnerships with business, but also public-religious non-profit partnerships with churches. For instance, the Fresno Neighborhood Partners Project sets up a partnership between a church and a school and enables church volunteers to meet some of the needs of the children of the school and their families. Volunteers assist teachers, tutor students, provide recreation and share specialized skills. The program shows that just as public-private partnerships work with corporations, so too will public-religious partnerships work with churches and religious ministries.

The government must overcome its baseless fear of the mythical "wall of separation" and allow, even encourage, churches to partner with schools and service agencies to provide much needed time and assistance.

4. "Non-Program" (nontraditional) leaders.—Most successful program leaders are committed, visionary "doers." They are many times not good grant writers, administrators, or marketeers of their expertise. What they do well is work with kids.

Brenda Owens is one of our unsung heroes in Oklahoma. She takes in 5 juvenile offenders into her personal residence for 9-12 months. These are tough offenders who have been in secure institutions for up to two years and are in the process of returning to their communities and homes. Their offenses range from murder to burglary. In the Oklahoma Juvenile Justice System, we call these homes "Specialized Community Homes." Its kind of a group foster home where kids are supposed to learn social and life skills. Brenda doesn't get enough money, but she does it because she loves kids. She treats them special and makes them believe they can amount to something. She teaches them how to buy groceries, cook, and live on their own. She exposes them to restaurants and travel and the kids love her and respond positively to this personal "non-program" approach.

GOVERNMENT'S ROLE IN THE REVERSAL OF AMERICA'S MORAL POVERTY

Almost everyone agrees that lack of character in young people and responsible parenting by the adults in their lives is a major driving force in the epidemic of juvenile crime.

Some will even say "What these kids need is a moral awakening;" yet, on the other hand we hear public policy makers saying, "You can't legislate morality," which is true to a certain extent. Yet government can be involved in opening the door so that churches and other nonprofit organizations can do what they do best—turn kids around!. How does government do this? Government does this by providing leadership and partnership.

First, the government can impact the juvenile crime epidemic by using its bully pulpit. The government can provide leadership by challenging and assisting civic, community and church organizations to get involved in the lives of our youth. Although there has been much debate about the relationship between the Church and the State, it is clear that our forefathers wanted the Church protected from the State, not the State protected from the Church. It is also clear that our forefathers trusted in the moral virtues and integrity of the churches to provide a moral compass to the Nation and to the citizens. Yet, we see today that churches no longer impact the community the way they did in the days of our founding. And much of this is due to the "muzzle" and "chilling" effect that government has placed upon the church.

The Wall of Protection I referred to earlier has always begun with the family members, then the neighbors, the charitable and civic groups. This Wall has now disintegrated, leading to the "moral poverty of growing up surrounded by deviant, delinquent, and criminal adults in abusive, violence ridden, fatherless, Godless, and jobless settings" which Dilulio so aptly describes. The government was never intended to shoulder all this burden nor is it equipped to do so. But government is concerned with the public safety of its citizens and is mandated to protect its citizens. Therefore it should rightly provide leadership to bring morality back to the lives of kids. because morally deprived kids are the ones most likely to become criminals. Government can't bring morality to kids; only people can. But government can play a vital role in publicly speaking out and encouraging the church, civic and community groups, to bring people out of moral poverty.

Government can also impact the juvenile crime epidemic by being a willing and participating partner with the non-profit religious sector to increase the safety of its citizens by eliminating moral poverty! The potential for successful, effective programs will rise exponentially when Churches and civic groups are unleashed in fifty state labs to "experiment and determine" what works. In state government we are convinced that we must mobilize all of our resources, including those of our religious institutions.

In our state of Oklahoma, 75% of our citizens attend church regularly. Our goal is to blanket the State systematically with non-profit partner organizations that will join together with state government and hundreds of ordinary citizens to Rebuild the Wall of Protection and to Build a new Wall of Prevention.

BEST COPY AVAILABLE

New solutions involving the Government in Partnership with the nonprofit sector

Network of partner churches statewide

In Oklahoma City, we are working on a Church Initiative to rebuild the Wall of Protection . . . or to put it another way, to Build a Wall of Prevention for Oklahoma's youth. In talking with pastors, we are finding that they do want to be involved but they have not been; they didn't know how to get involved, they haven't been asked to get involved, and in some cases, they were intimidated by Agencies telling them they could not be involved. They are truly an untapped resource.

Foster Care Homes.—Our Church Initiative takes on several facets. One facet is a project that targets the Church community for the recruitment of foster care families. As I mentioned earlier, after juveniles complete their rehabilitation programs in our institutions and group homes, they go back to the same conditions and environment. As an alternative, we will place these kids in families where they will have the encouragement and support of positive role models who will reinforce the lessons of responsibility and discipline that they were exposed to during their incarceration, the homes will assist them in the development of skills to effectively manage their own lives.

Currently, we have met with dozens of pastors who, once they got over their initial shock that a Government agency has come to them for help, have all expressed overwhelming support. Finally they are being shown the way to be involved.

Mentoring Families.—Another option for Church involvement is to pair up a family with the family of a juvenile offender, or to pair up the entire Church with a family or families. Our vision of mentoring is more than 1-2 hours a week. It is integrating the principles articulated earlier, including building strong personal relationships.

Adopt a Group Home.—Another option for Church involvement is to adopt an entire 6-12 bed Group Home. We are recruiting Churches to adopt our Supervised Independent Living Homes. Which house 4 or 5 juveniles who are in the final stages of returning to their community homes.

We believe Churches have the resources to tap a variety of families to transition these kids to jobs, or apprenticeships, to provide clothing needs or housing requirements such as rooms to rent, and apartment oversight; social skills like handling of money, grocery or car shopping, and a variety of other needs to ensure these kids are successfully reintegrated into their communities and society; and to ensure adult role models and supervision.

NETWORK OF YOUTH VOLUNTEERS

Indianapolis has pioneered this innovative solution by developing a partnership among Mayor Goldsmith, Juvenile Judge Payne, and the local chapter of Mr. Bill Gothard's Advanced Training Institute (ATI). The partnership supplies youth volunteers, parents and probation youth who voluntarily participate and are paired with the ATI volunteers.

Advanced Training Institute.—The Advanced Training Institute International is a parent directed educational alternative sponsored by the Institute in Basic Life Principles. The thousands of high school and college age young people in this program are trained to serve mayors, juvenile authorities, school systems, and corporate leaders in building stronger families. These students demonstrate the principles taught in the program and are being enthusiastically welcomed by the leaders of cities and nations around the world. Official invitations for these youth have come from the governments of New Zealand, Australia, Russia, Taiwan, Mexico, and many cities such as Indianapolis, Dallas, Oklahoma City, Little Rock, Dayton, Jacksonville, and Knoxville.

In Oklahoma City, this program will mobilize a specific geographic segment of the community. We are now in the process of discovering which church and civic groups are already working in the proposed area. We will then network these groups together to see how they can help each other become more effective. Once the network is in place, we will invite the local Advanced Life Training Institute to provide up to 300 volunteer youth to work with the groups in the community and pair with juvenile offenders and their families. We feel this intensive donation of time and manpower will reap great rewards because it embodies all three principles I discussed earlier: 1) Personal Relationship Building youth to youth, 2) Spiritual Component which the youth share with the delinquent kids one on one, and 3) Community Involvement for projects, beautification of parks, and other community service projects.

Log Cabin Project.—The Log Cabin Program deals with the critical need to separate juvenile delinquents from each other. Otherwise they will reinforce each other's

rebellion and exchange new ways to carry out crime. It is also based on the proven experience that older positive role models can effectively mentor a delinquent, and that transformed delinquents are very effective in guiding other delinquents.

Log cabins are placed in wilderness areas near country churches. The occupants of each cabin are trained staff members and one juvenile delinquent. The young men on staff who are selected for the Log Cabin Program typically range in age from eighteen to twenty-five years. The delinquent appointed from the court is usually fourteen to sixteen years of age. The selection of a juvenile delinquent begins with the judge's discussion with the parents. If the family wishes to investigate the Log Cabin Program, they schedule an interview with the leadership of the International Youth and Family services. The program is thoroughly discussed, and if the parents want their son in the program, they must agree to fully cooperate with it.

Oklahoma is presently exploring the possibility of utilizing a unique approach which has been successfully piloted in Indianapolis.

NETWORK OF YOUTH SERVICE AGENCIES STATEWIDE

This is a unique component in the State of Oklahoma which can be replicated elsewhere. The Oklahoma Department of Juvenile Justice works in partnership with forty-one (41) Youth Service agencies located geographically throughout the State. These agencies provide first offender programs, teen court, youth shelters, recreation and tutoring, and family services. Each Agency is operated by a community based Board of Directors and is reflective of the communities priorities, values and resources.

COMMUNITY INTERVENTION CENTERS THROUGHOUT THE STATE

We are developing Community Intervention Centers (CIC's) through a partnership of Federal monies (OJJDP), state appropriated monies, and local municipality matching funds. A local organization, perhaps a Youth Service Agency, will be the operator of the Center. The purpose of the CIC is to provide consequences and accountability for municipal status offenders and first offenders. It will also provide a badly-needed drop-off point for local law enforcement a place to take kids when they offend.

The message we want to send in Oklahoma is that if you commit a delinquent act or criminal offense, you will be arrested and receive a consequence. These will range from being picked up and held in the drop-off point location until parents are notified, to community service, to referral to appropriate service agencies, to teen court, or to first offender programs.

CONCLUSION

I would like to stress the urgency with which we must act. We've all seen the horrific figures telling us that the juvenile crime problem is going to get worse. We don't need more symposiums, journals and studies on the topic. We need action and we need it immediately. America's greatest natural resource is the people of this Country and its dedicated religious institutions involved in community problems. Hope is not gone, for we hold the key to the solution of this crisis . . . and it is in joining together to eliminate the moral poverty of our children and youth. We must rescue them from this crisis that destroys them and is destroying us as a Nation. Every moment that America sits back and allows its children to commit crime without consequence, to be hedonistic without accountability, and to live without the moral values necessary for a vibrant and free democracy and upon which our Republic was founded, is another moment that will make the solutions more difficult and more costly. Time marches against us, so we must act now!

We're all familiar with the Frenchman, Alexis De Toqueville, and his famous Treatise on America after he first visited the United States in the 1700's. After traveling throughout the country, he wrote, and I paraphrase, Americas goodness can be seen in its churches and religious institutions and because of this America is great. And if America ever ceases to be good it will also cease to be great. This moral goodness, embedded in our history, must now become part of governments' arsenal to stem the epidemic of juvenile crime. If it does not, we, as a Nation, will be overrun by "fatherless, Godless, and jobless" young people. God help us to respond.

PREPARED STATEMENT OF JOHN J. DIIULIO

A Real and Growing Problem

A few months ago I had the pleasure of being the keynote speaker at a summit on youth violence sponsored by the International Association of Chiefs of Police. In the words of the organization's president, Chief David G. Walchak, "It is clear that youth violence has reached epidemic proportions that must be addressed." Chief Walchak is hardly alone in that view. My colleague on the Council on Crime in America, Philadelphia District Attorney Lynne Abraham, has spoken about elementary school children who pack guns instead of lunches, and of neighborhoods in which the youth violence problem is almost "totally out of control." Likewise, former New Jersey Superior Court Judge Daniel R. Coburn, who developed some of the state's most innovative alternative-to-incarceration programs for adult and juvenile offenders (and with whom I had the pleasure of co-teaching a seminar at Princeton), recently warned of a "new teenage horde from hell" that "kills, maims, and terrorizes merely to become known or for no reason at all." And just last week, I spoke to Pastor Benjamin Smith, the 82-year-old inner-city clergyman who pioneered Philadelphia's youth and community outreach ministries, and who helped inspire the street-level work of Boston's Reverend Eugene Rivers and many others. Pastor Smith spoke in sorrow about the growing plague of "children murdering and maiming other children."

Anyone who doubts whether Chief Walchak, District Attorney Abraham, Judge Coburn, Pastor Smith, and Reverend Rivers are right to be so concerned about juvenile crime ought to take a look at the entire range of statistical data on youth violence in America today. To cite just three examples:

--The number of gun homicides by juveniles has nearly tripled since 1983.

--Weapons law violation arrest rates for teenage males ages 15-18 more than doubled, between 1983 and 1992.

--The fastest growing murder circumstance is juvenile gang killings, which nearly quadrupled from 1980 to 1992.

The juvenile crime numbers look even worse when placed in historical perspective. Looking back, for example, we find that the juvenile violent crime arrest rate more than tripled between 1965 and 1990, rising from 137 to 430 per 100,000.

And, looking ahead, we see that more young street criminals are almost certainly on the way.

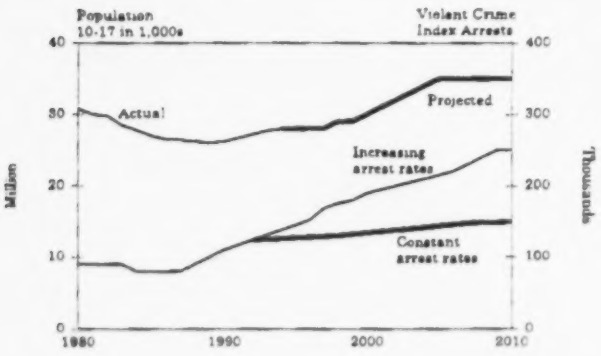
Take the case of Florida. Florida's juvenile population as a percentage of total state population actually dropped from 31 percent in 1970 to 23 percent in 1995 (a 26 percent drop). Additionally, between 1982 and 1993 the 15-17 year-old age cohort not only declined as a percentage of the state's population (from 4.5 to 3.3 percent), but declined in absolute numbers (from 470,000 to 458,000). Just the same, proportionately fewer juveniles committed a larger share of all serious crimes (see table 1). By the year 2010, Florida will have 36.4 percent more juveniles, and 43.9 percent more in the 15-17 age bracket, than it did in 1990. Officials in Florida, California, and several other states fully expect juvenile arrests to double between now and the year 2010 (see figure 1).

Table 1. Juvenile and Adult Arrests in Florida, 1971, 1995

	Juvenile					Adult				
Offense	1971	1995	% change 1971-1995	1971 % of total	1995 % of total	1971	1995	% change 1971-1995	1971 % of total	1995 % of total
Murder	47	182	287.2	5.3	16.2	838	943	12.5	94.7	83.8
Forcible Sex	---	614	---	---	17.4	---	2,908	---	---	82.6
Rape	88	372	322.7	10.0	16.2	791	1,921	142.9	90.0	83.8
Robbery	743	3,326	347.6	19.0	32.5	3,169	6,904	117.9	81.0	67.5
Aggravated Assault	1,186	7,094	498.1	13.1	15.8	7,845	37,740	381.1	86.9	84.2

Source: *Youth Crime in Florida* (Florida Department of Law Enforcement, April 29, 1996), p. 5.

Figure 1. Juvenile Population and Projected Arrest Rates



Source: *Combatting Violence and Delinquency* (Coordinating Council on Juvenile Justice and Delinquency Prevention, March 1996), p. 1.

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Nationally, between now and the year 2010, the number of juveniles in the population will increase substantially (see table 2). In 1995, for example, America was home to roughly 7.5 million boys ages 14 to 17. Professor James Q. Wilson of UCLA has estimated that by the year 2000, "there will be a million more people" in that age bracket than there were in 1995, half of them male. Based on well-replicated longitudinal studies, he predicts that six percent of these boys "will become high rate, repeat offenders--thirty thousand more young muggers, killers, and thieves than we have now. Get ready," he warns.

Table 2. U.S. Juvenile Population, 1990 and projected 2010

	Population		Increase	
	1990	2010	Number	Percent
All juveniles	64,185,000	73,617,000	9,432,000	15%
Ages 0-4	18,874,000	20,017,000	1,143,000	6%
Ages 5-9	18,064,000	19,722,000	1,658,000	9%
Ages 10-14	17,191,000	20,724,000	3,533,000	21%
Ages 15-17	10,056,000	13,154,000	3,098,000	31%
White	51,336,000	55,280,000	3,944,000	8%
Black	9,896,000	12,475,000	2,579,000	26%
Latino	7,886,000	13,543,000	5,657,000	71%

Source: Bureau of the Census, 1993; Office of Juvenile Justice and Delinquency Prevention, 1995

Following the same basic calculus, by the year 2010 there will be roughly 4.5 million more males age 17 or under than there were in 1990. Since, as Professor Wilson has suggested, around six percent of young males in each birth cohort go on to commit serious crimes, this increase will put an estimated 270,000 or so more young criminals on the streets than we had in 1990, coming at us in waves over the next two decades.

Moreover, each succeeding generation of young male criminals has been worse, on average, than the one before it: the one-fatal-stabbing-a-year street gangs of the 50's and 60's were succeeded by the one-fatal-drive-by-shooting-a-night street gangs of the 80's and 90's.

In short, today's youth criminals are somewhat younger and badder than those of previous eras; and, in all probability, tomorrow's cohort of youth criminals will be even bigger and worse than today's.

Of course, it's always possible to deny that an acute social problem exists, if only by adjusting ourselves to it. In a classic 1992 essay, Senator Daniel Patrick Moynihan wrote about "defining deviancy down," a process by which we come to treat as "normal" levels of costly social ills that would have been considered intolerable, if not wholly unthinkable, in an earlier period. Many have applied his insight to contemporary levels of illegitimacy and divorce, but the Senator's essay focused on how we've "normalized" high levels of predatory crime, especially predatory crime by juveniles. As usual, Senator Moynihan was right.

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Admittedly, there are no data sets that track or measure as such the increasingly brutal, senseless, gratuitous character of juvenile crime. And the plural of "sensational anecdote" is not "objective data."

But we must not deny the statistical and ethnographic realities of juvenile crime that are staring us in the face--we must not persist in defining juvenile criminality down. Not only the sheer volume but the increasingly depraved, impulsive, remorseless character of much of this juvenile crime, including much of the so-called non-violent juvenile crime, is beyond serious dispute.

As Professor Wilson has keenly observed, "Americans believe something fundamental has changed in our patterns of crime. They are right." What has changed is the threat of serious crime committed "without warning and almost without motive, by youngsters who afterwards show us the blank, unremorseful face of a feral, pre-social being."

In sum, America's juvenile crime problem is real and growing. The key question is why the problem has escalated so, and what, if anything, can be done to defuse America's ticking juvenile crime bomb.

Root Causes

There are many competing views of the "root causes" of juvenile crime. But as Dr. William J. Bennett, John Walters, and I argue in a forthcoming book, the single most important "root cause" is moral poverty.[1]

As we define it, moral poverty is the poverty of being without loving, capable, responsible adults who teach you right from wrong, the poverty of being without parents and other authorities who habituate you to feel joy at others' joy, pain at others' pain, happiness when you do right, remorse when you do wrong, the poverty of growing up in the virtual absence of people who teach morality by their own everyday example and who insist that you follow suit. In the extreme, moral poverty is the poverty of growing up severely abused and neglected at the hands of deviant, delinquent, or criminal adults.

Whatever their material circumstances, kids of whatever creed, color, demographic description, socioeconomic status, region, or zip code are more likely to become criminally depraved when they are morally deprived. The abject moral poverty that produces violent juvenile offenders most often begins very early in life in settings where unconditional love is nowhere but unmerciful abuse is the norm. An extremely morally impoverished beginning early in life makes children vicious who are by nature merely aggressive, makes children remorseless who are disposed to be unkind, and makes children radically impulsive who have difficulty sitting still, concentrating, and thinking ahead.

In sum, our argument is that, other things equal, the probability that a child will become a serious criminal varies inversely with the number and quality of positive and persistent adult influences in a child's life (parents, teachers, coaches, clergy, and others). Moral wealth breeds social health; moral poverty breeds crime and social decay.

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[1] William J. Bennett, John J. DiIulio, Jr., John Walters, *Body Count: Moral Poverty...And How to Win America's War Against Crime and Drugs* (Simon and Schuster, forthcoming 1996).

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Evidence in support of the moral poverty thesis is derived not only from the testimony of justice system practitioners and the common sense of the subject but from numerous empirical studies. For example, one statistical study found that maltreatment of children increased their chances of future delinquency and criminality by about 40 percent. And in the best ethnography of urban street criminals yet published, Professor Mark S. Fleisher rightly concluded that an "abundance of scholarly research shows that anti-social and delinquent tendencies emerge early in the lives of neglected, abused, and unloved youngsters, often by age nine."

Indeed, various studies show that more than half of young persons in long-term state juvenile institutions have one or more immediate family members (father, mother, sibling) who have also been incarcerated. Most prisoners come from single-parent families, more than one-quarter have parents who have abused drugs or alcohol, and nearly one-third have a brother with a jail or prison record. Many produce the same sad experience for their own children. (In 1991 male and female prisoners were parents to more than 825,000 children under age eighteen.)

As a study of delinquent and high-risk young people in California concluded, we "know from a number of well-designed studies that chronic delinquency usually has its origins in early childhood experiences." And these very bad boys do come disproportionately from very bad homes in very bad neighborhoods. As a survey of the literature on the need for intensive interventions into the lives of high-risk youths concluded, most juveniles who "engaged in frequent criminal acts against persons and property ... come from family settings characterized by high levels of violence, chaos, and dysfunction."

Recently, George Mitchell and I analyzed the complete records of a randomly selected sample of state prisoners from an urban area. After combing through 2,500 pages of records, we found that, regardless of racial background, these characteristics are common to most inmates:

--A father rarely was present; parents often were unemployed and receiving public assistance.
--Physical violence in the home was common. Drug and alcohol abuse was widespread.
--Most did not have a high school degree, most with a General Equivalency Degree (GED) earned it in prison.
--Many had fathered children with one or more single women.

Of course, not every child who grows up abused, neglected, or without any significant degree of responsible adult care and supervision becomes a delinquent or experiences other serious life problems. As a rule, about half of severely at-risk children will make it to adulthood without the worst battle scars. What is compelling, however, is that the more micro-level information we have on intra-group variance in outcomes among at-risk children, the clearer it becomes that the difference between those who make it and those who don't is often but a single nurturing, capable adult who was there for the child who made it but not for the one who didn't--there on a predictable part-time basis if not 24-7-365.

Civil Society's Paramedics

Growing up nestled in a loving, stable, economically solvent two-parent family in a relatively drug-and-crime-free community is best, but it is by no means the only way for a child to accumulate the moral capital needed for a successful journey to adulthood.

For example, a recent study by Public/Private Ventures, the country's premiere youth and community development research organization, examined 959 10- to 16-year-olds who applied to Big Brothers/Big Sisters (BB/BS) of America. Just over 60 percent were boys, and more than

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half were minority group members (of those, about 70 percent were boys, and more than half were minority group members (of those, about 70 percent were black). Almost all lived with one parent (the mother, in most cases), the rest with a guardian or relatives. Many were from low-income households, and a significant number came from households with a prior history of either family violence or substance abuse (in some cases both). Just the same, compared to otherwise comparable children not in the BB/BS program, Little Brothers and Little Sisters who met with their "Bigs" regularly for about a year were 46 percent less likely than their peers to start using illegal drugs, and 32 percent less likely than their peers to assault someone, not to mention less likely than their peers to skip school, get poor grades, or start drinking.

The BB/BS example is but one of many powerful illustrations of the fact that, even among children who are well out of diapers, and even where the positive adult-child relationship happens as it does in BB/BS for only three to four hours three times a month, *positive non-parental adult influences can make a positive difference in the lives of even the most at-risk youth.*

The single most important juvenile crime reality with which we are dealing, therefore, is that many children in America today are neither born into the bosom of loving, caring, responsible adults, nor given much in the way of positive adult supervision and guidance outside the home. More and more children in this country are growing up not in moral wealth but in abject moral poverty.

While this is not a problem that can be solved simply or solely by government, nor is it a problem that can be solved simply or solely by government withdrawal, or, more precisely, by policy changes at whatever level of government that, however inadvertently or unintentionally, disrupt the delivery of food, money, and medical care to low-income, at-risk children.

By the same token, it is important to distinguish between the need to restrain violent and repeat juvenile criminals, on the one hand, and the need to prevent at-risk children from falling prey to the blandishments of drugs and crime, on the other.

As I have written and argued for several years, the juvenile justice system is America's first and worst revolving door. In 1992 alone, for example, there were more than 110,000 juvenile arrests for violent crimes, and more than 1.6 million juvenile arrests for other crimes. Out of every 1,000 juveniles arrested, only about 56 are ever incarcerated, and only about 7 stand trial as adults. There are juvenile offenders out on probation who have done crimes that would make most average Americans' hair stand on end. In many jurisdictions, despite the explosion in serious youth crime and the passage of all sorts of laws ostensibly designed to restrain juvenile felons, the number of convicted juveniles in secure confinement has not increased much if at all over what it was in the mid-1970s. So I don't know about "getting tough" with chronic juvenile criminals, but I for one would settle for getting serious about known, adjudicated, convicted juveniles who rape, rob, burglarize, deal deadly drugs, or repeatedly do the "minor" crimes that breed disorder and major crimes.

But while filling juvenile jails as needed with serious youth offenders makes sense, doing this alone is absolutely no way to address the moral poverty that produces juvenile street criminals in the first place.

In 1965 Senator Moynihan wrote that "a community that allows large numbers of young men to grow up in broken families, . . . never acquiring any stable relationship to authority, that community asks for and gets chaos." We asked for it, we got it, and unless we act forthrightly, we're going to get worse.

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Based on a review of a number of literatures and a look into several ongoing community-based efforts, I am absolutely convinced that our single best bet against juvenile crime is to do whatever we can to help mobilize the vast potential of inner-city churches in the way that Pastor Smith, Reverend Rivers, and literally hundreds of other clergy have done or are beginning to do in our most distressed neighborhoods.

Over the last few years I have read lots of books and essays and heard lots of talk, especially by inside-the-beltway conservative theorists, about strengthening civil society. But now comes the test. Pastor Smith, Reverend Rivers, and others aren't out there talking; they're out there doing. With respect to juvenile crime and other social ills, they are civil society's front-line paramedics, healing social and spiritual wounds and saving young lives and souls. In Smith's case, he's been doing it for 50 years, a textbook example of the self-reliant, family-centered, church-based, community-strengthening approach today's theorists applaud.

What, if anything, can the federal government do to empower willing Americans to support the Smiths and Riverses of inner-city America with their money and their voluntary efforts? Is there anything that government in general can and should do to help fill churches instead of filling jails? I'm not sure, but it's long past time to ask such questions in earnest.

Prepared Statement of Reverend Eugene F. Rivers

Mr. Chairman and distinguished colleagues: I would like to thank you for this opportunity to confer and testify on juvenile crime as an indicator of America's moral poverty. This is an issue which has great importance to me as a Pastor within the Black community in Boston. I have become increasingly concerned over the nature of juvenile crime in the past decade, and have studied it first hand in the streets and communities surrounding my home and family. I have dedicated my resources, time, love and life, as well as my family's future, to curbing the growing rate of juvenile crime in the Four Corners community of Boston, both one-to-one and programmatically.

Over the past several decades, I have become increasingly aware that the problems our youths face are not entirely due to the decreasing supply of economic or political resources, but stem directly from the lack of moral responsibility and instruction given to our youths. A moral malfeasance that has pervaded every aspect of this country's social institutions is the direct cause of our current and future juvenile crime explosions. In Boston, the Ten Point Coalition, an interfaith group of clergy and lay leaders working to mobilize the community around issues affecting black youth, has sought to address this deficiency of moral leadership in the family and the churches, a deficiency which effects inner-city children in an increasingly destructive manner due to the lack of alternative support systems available to them.

The TenPoint Coalition started, as most movements do, with a major crisis. In 1992, about a half dozen young boys went into a church that was in the middle of a memorial service. They fired shots into the church, and a child was stabbed.

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It was a wake up call. We in the churches have refused to take our messages to the streets. And the street has now brought their message to the church. The progeny of two generations of young teenage mothers that we ignored have now brought us a message. The disrespect they convey to the church was simply the mirror reflection of our disrespect for these defenseless orphans and widows and children.

But what to do about it? We suggested that we commit to go out on the streets, to be in the line of fire with these kids, and to talking and eating and living with them, to show them authentic caring. When this suggestion was made, we discovered another aspect of our current problems. We discovered in many cases that people are scared. There is good reason to be scared because this stuff is violent. The members of the Subcommittee have a great opportunity to hear just how violent this stuff is, both from leading statistical experts and from families who have been affected. The current crisis is juvenile crime, a crisis that will only get worse if current trends continue in a fascinating, violent, disrespectful, unfeeling thug in the back alleys of America.

But that cannot hold us back from action, because like the events at DMC, if we do not take our programs to America's back alleys, these back alleys will take their destruction to our main streets. For the foreseeable future it appears that at the altitude of significant intervention, families and communities will continue to come apart at the seams under the pressures of unemployment, discrimination, the rise of materialism, the decline of an ethic of responsibility and sacrifice, the ravages of drugs, the terror of violence, but above all, our collective inclination to orient less and less in those on the margins.

But, refreshingly, the tragedy we in the Black community have proven still known. Unlike many of our ancestors, who came out of slavery and entered the frontier with strong backs, discipline, a thirst for literacy, deep religious faith and hope in the face of monumental adversity, this society has produced a generation who does not know the ways of the Lord. It is a generation of young people who would be, given the current labor market, ineligible for slavery if the institution were to be reinstituted. An entry into labor markets becomes increasingly dependent upon education and job skills. We will see, perhaps, for the first time in the history of the United States, a generation of uneducated, unskilled Americans. Without conversion in the lives of these people, there will be an significant transformation. Faith-based initiatives can and must play an important if the United States is not to descend into a new apartheid state. In a world without faith and hope, freedom and identity are themselves divested of meaning. In the end, it is the pervasive spiritual failure of the current crisis that gives it its unique and brutal character.

This generation of Black people will end the twentieth century worse than their ancestors began it. Unable to see a more rational future, they lack the hope that sustained their forebears. Lacking hope, they experience what Orlando Patterson has called "social death." But unlike the social death of former slavery, this new social death is fundamentally rooted in the destruction of faith and hope. The result is a state of civil war, with children in violent revolt against the failed secular and religious leadership of the Black community. The crisis at its root, is spiritual.

The most politically meaningful act at this stage in our history, in the inner city, is to be there for the kids. We can safely assume that young Black mothers and fathers will not transmit to their progeny the values and norms associated with intellectual and cultural achievement. What I've discovered is that the young men view me as the Padron. I am the father figure. I'm ready to pop them upside the head if they get out of line. They don't curse in front of my house. And, they understand that the minister loves them and will go to jail at 3:00 in the morning to bail them out. It is the same with the girls, which is interesting. The women in our church would do outreach to the girls, but we found, surprisingly, that the girls were looking for daddies, not mamas or sisters. They had sisters, they had mamas, but they didn't have daddies. Touch points: just being there. No rocket science. If we're not there, we lose. It's that simple.

Too often the response to this crisis has been a sense of hopelessness and willingness to blame others for this mess. Adults spend incredible amounts of energy and time declaring that someone else is to blame for this mess. And while we go 'round and 'round on the carousel of blame and accusation, our communities and our children perish and die.

Somehow, we must get beyond the blame game and the sterile "either/or" debate that makes this crisis one viewpoint's crusade or another's catalyst. We need to get to the "3 Rs of Revitalization" – renewal, responsibility, and reconnection – (1) a renewal of our faith in the fact that we can make a difference; (2) a willingness to take full responsibility for our respective roles in mending the pain of our youth; and (3) a commitment to reconnecting and renewing collaborations with other individuals and institutions.

We need to commit battalions of street-level, activist organizers to engage us to sign on to the worst areas in this country. We should be supporting ministries that work in the most ungodly violent areas. If we can send them to every place else in the world, we should be able to send them to South Central.

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The church cannot do it alone. There needs to be a systematic response on the programmatic level. New pathways of communication need to be developed. The recruited activists need to be as common in the courts, police station, streets, and schools as they are now in the church, office place, club and board room. The political and economic communities need to support the social and spiritual response, or else they better get ready to deal with the mess. I pray that you will seize the opportunity that God has given you to have an impact, an impact which, in my judgment, given the way our inner cities are going, will be unprecedented in this century.

[Whereupon, at 3:58 p.m., the subcommittee was adjourned.]

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